



ENVIRONMENTAL SERVICES DIRECTORATE ENVIRONMENTAL HEALTH

HEALTH AND SAFETY SERVICE DELIVERY PLAN

2010 - 2011

The Health and Safety Executive have issued a standard to Local Authorities under section 18 of the Health and Safety at Work etc Act 1974. This guidance is mandatory and provides a framework within which Local Authorities are required to operate.

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1.0 Introduction

This Health and Safety Service Plan has been developed to meet the requirements of the Health and Safety Executives (HSE) guidance to Local Authorities (LA) under S18 of the Health and Safety at Work etc Act 1974 (HASWA 1974). It is the duty of the LA to act in accordance with this guidance.

The plan has been approved by the Lead Member to ensure local transparency and accountability

The Council, as defined in the Health and Safety (Enforcing Authority) Regulations 1998 is responsible for the enforcement of the HASWA 1974 to the extent prescribed by the regulations. It is the duty of the Council to make adequate arrangements for the enforcement within its area of the relevant statutory provisions and to perform the duty in accordance with such guidance the HSE may give it.

In the view of the HSE, the following elements are essential for a LA to adequately discharge its duty as an enforcing authority:

- an annual service plan detailing the LA's priorities and interventions for the current year and the commitment to improve health and safety outcomes;
- a clear published statement of enforcement policy and practice;
- a system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the Health and Safety Executive (HSE) and the HSE/LA Enforcement Liaison Committee (HELA);
- the capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures. To target interventions to maximise their impact;
- arrangements for benchmarking performance with peer L A 's;
- provision of a trained and competent inspectorate.

One of the key elements of this framework guidance is the production of a service plan which deals with Hastings priorities and targets. It also sets out the Standards of Service for the Health & Safety function.

This Service plan includes information on:

- Background, Priorities, Aims and Objectives;
- Statement of Enforcement Policy and Practices;
- The system for prioritised planned inspection activity
- The delivery of the intervention work programme;
- Resources available;
- A review of performance against last years service plan.
- How the Council will carry out its enforcement role for health and safety throughout the Borough during 2010/11 and reviews the work carried out in 2009/10.

It is important to note that enforcement for health and safety is split between the Health and Safety Executive (HSE) and the Council. The enforcing authority is determined by the type of business and therefore the work activity eg manufacturing is HSE enforced, whereas retail and leisure is Council enforced.

If you have any comments or queries arising from this plan please contact either:-

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2.0 Links to the Council's Corporate Objectives & Specific Health & Safety Service Aims and Objectives

2.1 The Council's corporate plan priorities include references to leading in the regeneration of the town, & to involving local communities & businesses in the planning & delivery of accessible, cost-effective, quality services. The fair enforcement of health and safety legislation clearly has a role to play in these priorities, & flowing down from them the directorate has its own specific service objectives approved by elected Members in the Environmental Health Service Delivery Plan as follows:-

"Improve health & safety within the town through food inspections, health & safety at work inspections, infectious disease control & accident prevention."

Hampton principle - "To provide authoritative, accessible advice easily and cheaply".

2.2 Aims & objectives of the service

The specific aims of the health and safety enforcement service are as follows:-

- To ensure that workplaces* within the borough do not present unacceptable risks to the health, safety or welfare of people working within them or who may otherwise be affected by the workplace activities. **Hampton principle** "The few businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions".
- To maintain a high quality, professional workforce providing best value services to the residents and businesses of the Borough.
- To ensure through inspection, advice and education that employers and employees are aware of, and are fulfilling their health and safety obligations and responsibilities. **Hampton principle** - "To provide authoritative, accessible advice easily and cheaply".
- To respond satisfactorily to all complaints and enquiries concerning health, safety or welfare issues associated with workplaces* in the Borough.
- To seek to ensure that the service is available to all that need them. **Hampton principle** - "To provide authoritative, accessible advice easily and cheaply".
- To actively consider and engage in partnership working arrangements where this is the most effective means of achieving service aims and objectives.
- To periodically review the team's performance against the health and safety and departmental service plans.

* Where Hastings Borough Council is the enforcing authority for health and safety.

The key objectives for the health and safety enforcement service for 20010/11 are as follows:-

- a) To meet the requirements of the National Indicator 182 for satisfaction of businesses with local authority services.
- b) To use a multifaceted approach to raise the profile of health and safety within businesses and to improve workplace standards. These approaches will include traditional inspection work, projects addressing key risk areas, alternative enforcement strategies and interventions, mail shot's, the use of press releases and health and safety training/workshops as appropriate.
- c) To contribute to the development of any Sussex Wide Health and Safety Competency Policy and to adopt and implement this policy locally and/or through the national RDNA tool.
- d) To explore the use of additional channels for the distribution of health and safety information including increased use of the Council magazine, local newspapers, the council's website and other Council departments. **Hampton principle** - "To provide authoritative, accessible advice easily and cheaply".
- e) To introduce quality of service monitoring forms to establish stakeholder satisfaction with the service provided and to devise an appropriate local performance indicator and target in respect of quality of service.
- f) To develop IT/electronic solutions for rapid contact with workplaces for which Hastings Borough Council is the enforcing authority for health and safety.

- g) To carry out health and safety inspections due for high-risk premises, focusing on risk areas that are the subject of the Health and Safety Executive Local Authorities Enforcement Liaison Committee (HELA) strategy initiatives and in accordance with the guidance of priority planning circular 67/2.
- h) To contribute to Strategic programmes to deliver reductions in accidents, ill health and sickness absence resulting from work activities.
- i) To complete all health and safety project and educational work as detailed within the health and safety service plan within the service year.
- j) To significantly reduce the number of premises that fall to Hastings Borough Council for enforcement of health and safety that are unrated, through the implementation of a self-assessment procedure for businesses.
- k) To respond to health and safety complaints and enquiries within 3 days and in accordance with the service complaint procedure.
- l) To respond to accidents reported to/retrieved from the Incident Contact Centre in accordance with the service's Accident Investigation Procedure.

2.3 Performance Review

The Lead Officer for health and safety is required to produce this annual Health and Safety Service Delivery Plan. Key targets within the plan are also included in the Council's Local Performance Plan. All targets are routinely monitored by the Council's Corporate Policy Development and Monitoring Unit and presented to the Performance Review Panel on a quarterly basis. The panel comprises of leading elected Members, including the Council Leader and the Lead Member for Environmental Services & members of the Council's Senior Management, such as the Chief Executive & the Director of Environmental Services.

3.0 Background

3.1 Profile of the Local Authority

The Borough of Hastings is an historic seaside resort on the East Sussex Coast, 65 miles to the South East of London; the town covers some 7,343 acres with an estimated population of 82,000.

The predominant services sector industry is quite naturally tourism; short break and day-trippers making up the bulk of trade. The Hastings seafront is therefore furnished accordingly with amusements, restaurants and cafes, many of which operate between Easter and October. This is closely followed by the provision of Nursing and Residential Care for the elderly.

The Hastings Old Town also accommodates a shore based commercial fishing fleet of up to forty vessels, serving a small fish market. The Council has also provided a number of industrial estates, mainly in the St. Leonard's area, which include several large, light industrial companies.

The Borough also suffers, however, from significant social deprivation and includes five of the most deprived wards in the country. Recognition of this by the Government is evidenced by the success of bids to the various SRB programmes and the funding of a neighbourhood warden scheme and Neighbourhood Renewal funding. A robust but sympathetic approach to enforcement is therefore adopted with regard to economic considerations.

3.2 Council and Departmental Structure

In recent years the Council has modernised its structure. In addition to the Council Leader there are Lead Members with responsibility for the following portfolios:

Corporate Resources;
 Regeneration Homes and Communities;
 Environmental Services.

There are also Overview and Scrutiny Committees, who scrutinise service delivery and performance. The Food & Health & Safety Team is part of Environmental Health within the Environmental Services Directorate. The Environmental Services Directorate includes Community Safety, Environmental Health, Waste, Highways Management, and Parking Services. The Director of Environmental Services & the Head of Environmental Health are both Environmental Health Officers with experience of managing specialist Food & Safety Teams in the past. The Food & Safety Team is responsible for food safety, health and safety, health promotion and infectious disease control.

The service is based at Aquila House, Breeds Place, Hastings TN34 3UY, together with the remainder of the Environmental Health service.

3.3 Scope of the Health and Safety Service

The Food & Safety Team consists of 2 Principal Environmental Health Officers (PEHOs), an Environmental Health Officer and 3 Senior Technical Officers (TOs) who are all food qualified. They are organised into four discrete geographical areas. Admin support is also provided by an administrator. One of the Principal Environmental Health Officers leads on food safety enforcement whilst the other one leads on health & safety. Both report directly to the Head of Environmental Health.

The team's health and safety work includes proactive elements (such as inspection work and mail shots) and reactive ones (such as investigating complaints and accident notifications). However, in addition to health and safety work the team also enforces food safety in all food premises (through targeted routine inspections and re-visits), deals with food complaints, investigates food poisoning cases and outbreaks and acts as consultee to other Council departments such as Planning, Licensing and Building Control, and deals with all relevant enquiries from members of the public.

Pressure was felt during the year due to the Principal EHO leading on food taking a period of extended maternity leave and returning on a part time basis. Additionally a Senior Technical Officer was also lost and who very sadly died. Contractors were however engaged to backfill in the interim the workload of these posts. It is anticipated that that due to the pressure to make savings contractors will be further utilised to back fill these posts during 2010/11.

In 2002 the commercial team became responsible for the inspection, audits and accident investigation elements of the corporate health and safety function. Technical expertise was drawn from the existing team members and the 0.5 fte additional funding to cover these additional duties was utilised to increase administrative support required by the team. Therefore the required corporate annual audit reviews were therefore not completed. In 2007 the team lost the additional 0.5 fte funding provided for the additional corporate health and safety responsibilities due to administrative support being required for the Heads of Service for Environmental Health and Waste Management. This additional 0.5fte was therefore reallocated to this new administrative support position. A report was however submitted by the Principal EHO leading on health and safety, to the Corporate Director Environmental Services to make available, further budget provisions to adequately resource this function. Due to the further loss of a Senior Technical Officer a contractor is to be engaged to backfill some of the responsibilities the team has for the Corporate Health and Safety function. The demands placed upon the food and health and safety team will therefore be considerable during 2010/11

The Government recognises that Local Authorities must use various approaches to enforcement work depending on the prevailing circumstances, level of risk, political and stakeholder will and other external influences. This authority therefore seeks to adopt a balance of techniques and approaches in order to ensure the safety of the public and does not rely on any one method. We believe that assisting compliance is every bit as important as detecting non-compliance and in line with the **Hampton principle** of "providing authoritative, accessible advice easily and cheaply. The targeting of resources where they are most effective and at areas of highest risk is essential in providing the public with an effective service".

3.4 Scope the Service

The majority of service requests for the Environmental Health Division are received by telephone the remainder are received by letter Email and personal visits. Officers operate a flexible working hour's system between 07.00 and 19.00. The office is open from 08.45 until 16.30 Monday to Thursday and 08.45 until 16.00 on Fridays. However, it is often necessary for duties to be carried out outside of these hours. Outside normal working hours (including weekends) complaints and infectious disease notifications can be made to the Food & Safety Team via the Council's Emergency Co-ordinators. The out of hour's service is available to deal with food related emergencies, serious accidents and incidents outside the above hours.

National targets for health and safety as agreed by the HSE and Government were set out in the Revitalising health and Safety Strategy Statement (June 2000) which was to achieve :

- a) 30% reduction in days lost from work related injuries and ill health by 2010
- b) 20% reduction in the incidence rate of work related ill health by 2010
- c) 10% reduction in fatal and major injury incidence rates by 2010

To achieve the above targets, the HSC Strategic Plan 2001-2004 was extended but continued with the eight priority topic programmes of which the following five had relevance to the Local Authority enforced sector: Falls from height, workplace transport, musculoskeletal disorders, slips and trips and work related stress. A further priority topic programme, dermatitis, was added in 2007. In February 2004 the HSC and Department for Work and Pensions launched a new strategy "A New Strategy for Workplace Safety in Great Britain to 2010 and beyond" to improve future standards of workplace health and safety. This set a new strategic direction for the health and safety system in Great Britain. The strategy envisaged a significant change in how the HSE and LA's work together. The aim was to make them collectively more effective in improving health and safety, and reducing the incidence of injuries and ill health in the workplaces for which they are responsible.

In August 2004 HELA issued changes to Priority Planning arrangements to reflect the above strategy, and the topic inspection approach. This authority has fully implemented the Priority Planning arrangements and the topic inspection approach was utilised throughout the 2009/10 period. This has ensured that all programmed inspections will concentrate on the key topic areas so as to address the national targets for health and safety as set out in HSE Revitalising Health and Safety Strategy Statement.

In 2005 the Hampton Report “Reducing Administrative Burdens: Effective Inspection Enforcement” produced a number of recommendations, which the team has fully embraced including: a risk based approach to enforcement; a balance of enforcement actions, not just inspections; a focus on ‘rogue traders’, with less action on compliant businesses and clear, concise information and guidance for business.

The report recommended that no inspection should take place without a reason, that inspection should be risk based and that achieving compliance by methods other than inspection should be used. This approach now forms the cornerstone of how proactive inspections are undertaken by the authority.

The Hampton report led to the creation of the Local Better Regulation Office (LBRO) in May 2007. LBRO has been set up to improve the way that local authority regulatory services operate, ensuring that unnecessary burdens on compliant businesses are reduced without compromising the protection offered to consumers, workers and the environment. A recent addition is the Primary Authority Scheme introduced by LBRO in April 2009. The scheme introduced provisions for businesses, charities or other organisations that operate across more than one site, to enter into a partnership agreement with a single authority for it to become that organisation’s Primary Authority. This will ensure that any company trading across Council boundaries is guaranteed access to robust and reliable advice about its regulatory responsibilities. The advice will be provided through the creation of new legal partnerships with local regulators. These registered primary authorities will liaise with other councils to ensure that inspection and enforcement action taken anywhere in the UK reflects the advice given. The service will have due regard for the requirements of the Regulatory Enforcement and Sanctions Act 2008 and specifically the Local Better Regulation Office’s “Primary Authority Scheme”.

The Department for Business, Enterprise and Regulatory Reform (BERR) is the new name for the Department of Trade and Industry (DTI). It was created in June 2007, and has brought together several activities of the former DTI with the Better Regulation Executive. Its main focus is the establishment of conditions for business success via flexible and competitive markets that ensure value creation for businesses, employees and consumers. BERR introduced the Regulators Compliance Code, which asks regulators to perform their duties in a business-friendly way, by planning regulation and inspections in a way that causes least disruption to the economy. By ensuring that regulators review their policies, the Government is confident that the code will help deliver a risk based approach to the exercise of regulatory activity. High performing, compliant businesses will bear less of a burden, with regulators focusing their efforts on rogue and higher risk businesses. Officers will have due regard and accordance with the Regulators Compliance Code.

In 2007 the Rogers review entitled “National Enforcement Priorities for Local Regulatory Services” was published. This report set national enforcement priorities for local regulatory services. The review makes repeated recommendations in connection to the work of the LBRO. The review sets out five national priorities for local authority regulatory services to assist them in prioritising their resources; improving health in the workplace was one of the main five priorities.

In accordance with the Rogers Review for 2010/2011, inspections will only be undertaken within high risk premises (A--B2 rated categories) at targeted premises as part of national campaigns. Premises rated outside of this risk rating (B3-C) will be dealt with by alternative intervention including self-assessment questionnaires and mail shots.

In 2009 the Health and Safety Executive (HSE) launched their new strategy document “Be part of the solution”. This strategy was designed to reduce the number of accidents in the workplace and take a “common sense approach” to ensuring that risk management is an enabler for business, not a burden. Health and Safety standards in the UK have improved dramatically over the last 35 years but since 2003 the rate of improvement appears to have stalled. In 2007/08, 229 workers were killed and 136,771 were seriously injured at work. Furthermore, approximately 34 million working days were lost due to the consequences of accidents at work and work related ill health. The HSE considers that it is not acceptable to maintain the status quo, and is calling on not only businesses leaders, but the entire workforce, to be “part of the solution” by working together to improve health and safety standards. Whilst the economic climate is difficult and the temptation for some may be to cut corners, HSE its partners and businesses will continue to strive to improve health and safety performance.

This strategy represents a clear statement of core principles and a sensible approach to health and safety in Great Britain. Overall the strategy has four clear objectives including: to reduce the number of work related fatalities, injuries and causes of ill health; to gain widespread commitment and recognition of what real health and safety is about; to motivate all those in the health and safety system as to how they can contribute to improve health and safety performance and to ensure that those who fail in their health and safety duties are held to account.

Hastings borough Council has therefore acknowledged and incorporated the principles of “**Sensible Risk Management**” and the strategy into this service delivery plan so that by working together we will help bring about the improvements we all want to see.

Local Area Agreements (LAAs) were introduced in 2004. The principles of partnership working and the need to ensure cost-efficient service delivery is also a key requirement for public services including health and safety. There is also the statutory duty to work in partnership and to ensure the environmental, economic and social well being of the area. The LAA entitled East Sussex LAA “All Together Better”, is an agreement between East Sussex County Council on behalf of service providers, including Hastings Borough Council, and Central Government. The LAA identifies priorities for improvement in East Sussex and how these priorities will be tackled in partnership with other organisations in the county. The inclusion of health and safety within agreements is therefore important and it is hoped that this will be developed through the Sussex Health and Safety Liaison Group.

3.5 Enforcement Policy

The Council adopted the Concordat on Good Enforcement in June 1998 and subsequently developed and adopted a Corporate Enforcement Policy based upon its principles in December 1998. The Corporate Enforcement Policy was reviewed in 2000. A revised policy was adopted in April 2001, and a further revision has been integrated following the issue of the Regulators’ Compliance Code.

The Regulators Compliance Code is a Statutory Code of Practice and is a central part of the Governments better regulation agenda. Its aim is to embed a risk-based proportionate and targeted approach to regulatory inspection and enforcement among regulators. The Code is based on the recommendations in the Hampton Report. Its purpose is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

The Code stresses the need for Regulators to adopt a positive approach towards ensuring compliance by: helping and encouraging regulated entities to understand and meet regulatory requirements more easily; and responding proportionately to regulatory breaches. The Code supports regulators’ responsibility to deliver desirable regulatory outcomes. This includes having effective policies to deal proportionately with criminal behaviour which would have a damaging effect on legitimate business and desirable regulatory outcomes. Any regulator so specified must have regard to this Code. The Code does not relieve regulated entities of their responsibility to comply with their obligations under the law.

3.6 Flexible Warranting

The Sussex Flexible Warranting Scheme allows all participating organisations to authorise suitably qualified and competent staff from each others organisations to enter premises under their area of responsibility. This allows for better partnership working and enforcement for all workplaces within agreed parameters. A Memorandum of Understanding (MOU) has been developed to lay out clearly the obligations and limitations of the flexible warranting arrangements and also to cover such matters as officer competencies and indemnities. This allows HSE and local authority staff to work across boundaries, as detailed in a mutually acceptable MOU.

Some of the uses of the scheme include: proactive and educative type enforcement projects, which are mutually agreed by all organisations; dealing with complaints or accidents where the enforcing authority is unclear and sharing technical expertise and undertaking of appropriate joint inspections. Some of the benefits include: the ability to respond to local health and safety issues in a coordinated manner; sharing the resources of inspectors with specialist skills as the need arises; reducing the burdens on business and targeting enforcement at high-risk activities; improving communication and co-operation between health and safety regulators; increasing opportunities for shared officer training and development and increasing the flexibility and responsiveness of health and safety regulators to situations of significant risk.

4.0 Review of Service Delivery in 2009/10 & Projections for 2010/11

4.1 Review against the Service Plan for 2009/10

Performance targets for 2008/9 stated that the following % (and therefore number) of premises would receive a health and safety intervention during the service year.

100% of risk category A

75% of risk category B1 and B2

10% of lower risk category premises – B3, B4

The health and safety team completed 100% of the interventions due in 2009/10 with 292 inspections being completed. For the service year 20010/11 the number inspections due is 141. Any new business premises will also require to be inspected.

Very low risk premises were not visited as HELA circular 67/1(rev 3) advises and were reviewed through a range of intervention strategies such as self assessment audit questionnaires and in 2009/10 50 intervention strategies were successfully completed.

In addition, the following reactive demands were placed on the service between 1/04/09 and 31/03/10. 124 health and safety complaints and enquiries, and 132 accident investigations received and investigated.

4.2 Accident Investigations and Injury Rates

Accidents reportable under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR) will be investigated in accordance with the priorities specified in the Council's Accident Investigation Policy and with reference to HSE's "Revised incident selection criteria 2005 (Criteria for selection for investigation of RIDDOR notifications)". The food and health and safety team have also signed up to the Sussex Major Incident Team and Flexible Warranting Scheme which commenced during the 2009/10 period.

In 2008/09 1.2 million people who worked during the last year were suffering from an illness (long standing as well as new cases) they believed was caused or made worse by their current or past work. 551,000 of these were new cases. Nationally, in the services sector, which is Hastings main industry, there were 63 fatalities, and the rate of fatal injury in 2008/09 is the same as the average rate for the previous five years (0.3). 180 workers were killed at work, a rate of 0.6 per 100,000 workers. 131,895 other injuries to employees were reported under RIDDOR, a rate of 502.2 per 100,000 employees. Under RIDDOR all employers have a legal duty to report certain types of accidents and incidents. 246,000 reportable injuries occurred, according to the Labour Force survey, a rate of 870 per 100,000 workers. 29.3 million working days were lost overall (1.24 days per worker), 24.6 million due to work-related ill health and 4.7 million due to workplace injury.

Injury rates are reported nationally across all enforcing authorities for the following industry types: agriculture, extractive and utility supply, manufacturing, construction and services. Of the 29,100 employee jobs available in the Borough 85.6% related to the services industry. For the services industry in Hastings in 2008/09 for reported major injuries 29 of the 34 total related to employees, 86 of 111 reported employee injuries related to over 3 day injuries and a single major incident was reported in the self employed category. These figures include all work premises and therefore those premises enforced by the HSE as well as Council.

4.3 The Composition of Premises in the Borough by Activity

In Hastings there are approximately 2019 premises where the Council is responsible, through its inspectors, for enforcement of the Health and Safety at Work etc Act 1974 and Regulations made there under. These are broken down by risk assessment scores (ratings), as calculated following HELA 67(1) REV 3, and considering the following elements: safety hazard, health hazard, safety risk, health risk, welfare, public risk and confidence in management. Premises then become due for intervention at an interval reflected by their risk rating. Category A premises are inspected every 12 months (High risk), category B1 every 24 months category B2 every 36 months category B3 review the premises every 3 years category B4 every 5 years and category C premises by use of intervention strategy and self assessment rating systems such as questionnaires.

The HSE has however also recently consulted on a new risk rating scheme LAC 67/2 which is planned to be introduced in April 2010. LAC 67/2 will form part of the management arrangements under the new Section 18 guidance on priorities, planning and targeting interventions. This guidance is fundamental to the way the team will operate and shall have direct consequences on our work activities. It reflects the HSE's new strategy "The Health and Safety of Great Britain: Be part of the solution" and sets out a new approach to developing effective health and safety regulatory services justified by risk. The changes will introduce a marked change for methodology and produce a simpler scheme with only four score elements namely: Confidence in management, Safety performance, Health performance and Welfare compliance gap. The introduction of the new scheme will require some preparation works this year as well as close liaison with our software suppliers Northgate to ensure that our data conversion results in a seamless transition

The intervention programme will therefore concentrate on premises where the priority topic programme risks are present, and in accordance with LAC 67/2 apart from low risk category rated premises which should not normally be part of the planned inspection cycle as 67/2 describes. For falls from height, Local authority enforcement activity, including priority accident investigations, will focus on activities and precautions involving falls from height, equipment

used, and contractors. For workplace transport, Local Authority enforcement activity, including priority accident investigation, will focus on safe sites, safe vehicles and safe drivers. For musculoskeletal disorders, Local authority enforcement activity, including priority accident investigation, will focus on manual handling, upper limb disorders, and display screen equipment issues. For slips and trips, Local authority enforcement activity, including priority accident investigation, will focus on flooring, footwear and prevention of trips. For work related stress, Local authority enforcement activity, will focus on raising awareness of the risk factors involved and potential intervention strategies, in organisations with more than 20 employees. For dermatitis Local Authority activity will focus on management systems, control and process measures and health surveillance.

The table below details the number of premises in the borough for which Hastings Borough Council is the enforcing authority for health and safety within each of the main use categories.

Number of Premises in Hastings Borough and Use Category:

716	Retail Shops
144	Wholesale shops, warehouses and fuel storage depots
299	Offices
427	Catering, restaurants and bars
50	Hotel, campsites and other short stay accommodation
57	Residential care homes
139	Leisure and cultural services
152	Consumer services
35	Other

Total number of premises 2019

4.4 Programme of proactive and targeted risk based interventions for 2010/11

Although the Fit3 programme has now closed HSE have retained the title 'Fit3 Street' to maintain continuity throughout the 2009/10 year. Five new 'Strategy Action Teams' namely: SME's; leadership and worker involvement; healthier workplaces; competency and avoiding catastrophe have now been introduced with the aim of adapting and customising approaches to help the increasing number of SME's in different sectors to comply with their health and safety obligations. As all interventions are evidence led they ensure that there is the greatest scope for incidence reduction and is based on input from HSE and L.A.'s and their effectiveness is evaluated nationally by HSE.

The range of risk based interventions for 2010/2011 will be targeted upon: maximising its impact in improving health and safety outcomes; securing action by relevant duty holders to manage and control the health and safety risks of their work activities; on the duty holders who are best placed to control the risks, whether they be employers or others; on other organisations and stakeholders that can influence risk reduction; on activities that give rise to serious risks or where the hazards are least well controlled; to stop those that seek economic advantage from non-compliance (rogue traders); in accordance with national guidance on interventions and priority programmes and in accordance with local regional and national programmes.

- **Work element:** inspections of high risk premises and specific areas determined by HELA. **How:** by inspection and enforcement action as necessary. **When:** 2010/11. **Outcome:** to improve confidence in management and reduce premises risk classification.
- **Work element:** Stop Slips in Kitchens. **How:** by inspection and enforcement action as necessary. **When:** 2010/11. **Outcome:** delivery of the shattered lives campaign.
- **Work element:** Dermatitis in catering and hairdressing. **How:** by inspection and enforcement action as necessary. **When:** 2010/11. **Outcome:** to embed good practices to raise awareness of risks and precautions and for the delivery of the campaign.
- **Work element:** the introduction and implementation of the new risk rating scheme LAC 67/2. **How:** Introduction and implementation of the scheme. **When:** 2010/11. **Outcome:** the successful implementation of the new scheme.

- **Work element:** LACE. A communication campaign only. **How:** resources directed to assist in improving awareness for safe working in construction. **When:** 2010/11. **Outcome:** the delivery of information packs handed out by the Development Control team.
- **Work element:** the inspection of high risk LPG Bulk Storage Tanks. **How:** the inspection and investigation of all notified LPG Bulk Storage Tanks. **When:** 2010/11. **Outcome:** the inspection and investigation of all tanks as identified and directed by the HSE surveillance programme.
- **Work element:** National Indicator 182 Satisfaction with Regulatory Services. **How:** posting out the NI 182 form. **When:** 2010/11. **Outcome:** to improve satisfaction of businesses with LA Regulatory Services.
- **Work element:** Peer Review Action Plan by working towards improving S18 compliance. **How:** as set out in peer review action plan. **When:** 2010/11. **Outcome:** raising the standards of compliance with S18 guidance.
- **Work element:** accident Investigations. **How:** by carrying out investigations in line with criteria for selection for investigation. **When:** 2010/11. **Outcome:** measured by an increase in the consistency of approach for monitoring and management of investigations.
- **Work element:** Survey and update the health and safety database. **How:** by desktop review, telephone survey, internet search, visits. **When:** 2010/11. **Outcome:** to maintain or where necessary, improve standards of employees and public health and safety, in local businesses.
- **Work element:** Self assessment programme for intermediate and low risk premises and rating of new businesses and those currently unrated. **How:** by using an alternative enforcement questionnaire. **When:** 2010/11. **Outcome:** to maintain or where necessary, improve standards of employees and public health and safety in local businesses.
- **Work element:** Maintain Competence. **How:** by using RDNA Tool to review training requirements during appraisals and attend necessary training to maintain competence. **When:** 2010/11. **Outcome:** a consistent enforcement approach with suitably trained officers with up-to-date knowledge of changes of legislation.
- **Work element:** Represent HBC at Sussex Health and Safety Liaison Group and Sussex Local Authority Safety Officers Group. **How:** attendance at meetings. **When:** 2010/11. **Outcome:** attend 4 meetings a year.
- **Work element:** Sussex Joint working with LA/HSE Flexible Warranting/ Major Incident Team/'Buddy' HSE inspector. **How:** by joint working with HSE. **When:** 2010/11. **Outcome:** to maintain consistency of approach and partnership working with HSE and Sussex Local Authorities.
- **Work element:** Sussex Regional H&S Plan. **How:** joint working with HSE and Sussex Local authorities on specific projects. **When:** 2010/11. **Outcome:** to maintain consistency of approach and partnership working with HSE and Sussex Local Authorities.
- **Work element:** Planning/Licensing Applications. **How:** by commenting on the applications as appropriate. **When:** 2010/11. **Outcome:** the proactive development of consistent and high standards of health and safety in new commercial and licensing applications.
- **Work element:** Service Requests Investigations. **How:** carrying out visits within 3 working days. **When:** 2010/11. **Outcome:** the increased consistency of approach for monitoring and management of investigations.

Performance Indicators:

- All reviewed cases comply with EPS/EMM.
- All training requirements met.

5.0 Resources

5.1 Financial Allocation

The overall budget for the Environmental Health Service and the Health and Safety budget are detailed below. The Corporate Health and safety budget 3404 has now been included alongside Health and Safety Enforcement 3402. The recharge from the main budget to the health and safety Corporate and Enforcement budgets includes staff costs and departmental and central recharges. These are broken down as follows:

The Service Code is 3402/3404

1. Supplies and Services. The actual figure for 2008/09 was £701. The original budget and revised figure for 2009/10 was £1,230 and £810 respectively. The Estimated Outturn for 2010/11 is £830.
2. Net Operating Costs / (Surplus). The actual figure for 2008/09 was £701. The original budget and revised figure for 2009/10 was £1,230 and £810 respectively. The Estimated Outturn for 2010/11 is £830.
3. Support Services. The actual figure for 2008/09 was £249,420. The original budget and revised figure for 2009/10 was £276,140 and £261,900 respectively. The Estimated Outturn for 2010/11 is £259,950.
4. Net Service Cost. The actual figure for 2008/09 was £250,121. The original budget and revised figure for 2009/10 was £277,370 and £262,710 respectively. The Estimated Outturn for 2010/11 is £260,780.

5.2 Staffing Allocation

The following indicates each member of the Team's designation, extent of authorisation in accordance with the Council's standing orders and health and safety quality management system, and apportionment of time spent on health and safety at work. This gives a total of 2.15 fte for health and safety enforcement work.

Extent of Authorisation

All health and safety enforcement duties under the Health and Safety at Work etc Act 1974

Team

Executive Director, Director of Environmental Services. Resource fte 0.0

Head of Service, Head of Environmental Health. Resource fte 0.05

Team Leader (East), Principal Environmental Health Officer. Resource fte 0.3

Team Leader (West), Principal Environmental Health Officer. Resource fte 0.5

Environmental Health Officer. Resource fte 0.3

Senior Technical Officer. Resource fte 0.2

Senior Technical Officer. Resource fte 0.3

Senior Technical Officer. Resource fte 0.3

Extent of Authorisation

Perform health and safety inspections in all risk categories of premises and serve improvement/prohibition Notices under Health and Safety at Work etc Act 1974.

Support Staff, Administrator. Resource 0.5

Total Staffing Allocation to HSW fte 2.15

NB. Officers are not dedicated fully to health and safety enforcement. Other responsibilities of the Food & Safety Team include Food Safety, Communicable Disease Control, Licensing consultation and Planning Liaison. The fte figures above relate to their input to health and safety only and for the PEHOs this includes time spent on health and safety policy work including quality monitoring of the service.

5.3 Staff Competency, Development & Training

Each officer's projected training needs are assessed as part of the corporate staff appraisal process. Training needs are currently assessed individually to identify their particular training needs and training is provided where necessary to fulfil CPD requirements, ensure competency and assist with career development. Records of each officer's qualifications, training, experience and level of authorisation are maintained and reviewed during the annual appraisal process. To ensure consistency amongst all officers in the Health and Safety Service, a copy of the section's internal procedures are given to each new officer on joining the service. These procedures form an integral part of the Health and Safety Service's Documented Control System. Continuous Professional Development is compulsory for Environmental Health Officers at 20 hours per annum and 30 hours per annum for Chartered Environmental Health Practitioners.

All Officers must comply with HSE mandatory Section 18 guidance, for the provision of training and competency, and undergo a minimum of 10 hours CPD training in health and safety. The team members will also be appraised through the new Regulators Development Needs Assessment Tool (RDNA) which has been designed to meet the requirements of Section 18 guidance. The RDNA tool has been developed by the HSE and is an online self assessment mechanism for identifying development and training needs. It provides a structured approach to identifying frontline staff development needs against benchmark of skills and knowledge required to competently regulate health and safety. The RDNA tool is based on common tasks performed by all regulators of health and safety and provides some guidance on the standards required within these tasks. The RDNA tool ensures we maintain competence and develop our staff in line with business needs. RDNA allows us to deliver a process and set of tools to help us to do this effectively and efficiently-getting a better return on the investment we make in staff development. Frontline officers will undertake the RDNA Tool process and continue to update their competence during 2010/2011.

6.0 Quality Assessment

Local quality and performance audits are carried out in two ways. Firstly in terms of performance monitoring in relation to our local performance indicators & the contents of the service delivery plan. This is carried out by the Council's performance review panel on a quarterly basis.

Secondly, Quality Assessment is carried out by the use of the Health and Safety Management Procedure HSQM. This procedure includes a range of assessments from file reviews against computer entry to accompanied visits and customer questionnaires. Some functions have more specific and detailed audit processes, e.g. health and safety complaints and accident investigations.

The service supports the concept of Peer Review and the Sussex Health and Safety Liaison Group, co-ordinate such reviews locally following HSE guidance. A peer review of the service was undertaken during 2007 and was the second such review that the service has been subjected to over a 5-year period. The purpose of the audit was to monitor the performance of HBC against Section 18 guidance and check whether there were adequate arrangements in place to carry out the statutory functions

Areas of good practice identified by the audit included the Health and Safety Service Delivery Plan and work programme and the assessment and maintenance of officer competency. The auditor reported the following areas for improvement: The Enforcement Policy (and other policies) should be reviewed and updated and that documents such as the Enforcement Policy and the Health and Safety Service Delivery Plan should be published on the councils website. Both of these areas for improvement have since been fully completed.