

GENERAL PURPOSES AND LICENSING COMMITTEE – 15 JUNE 2007**HEALTH AND SAFETY SERVICE PLAN AND ENFORCEMENT POLICY -
2007/2008****1. INTRODUCTION**

- # 1.1 The Service Plan is attached as appendix 1 to this report and will form part of the overall Environmental Health Service Plan for 2007/2008.
- 1.2 The report sets out the Service Plan as required by the Health and Safety Commission mandatory requirements for Health and Safety Service Plans. In accordance with the report to the General Purposes and Licensing Committee on the 12 November 2004, the Service Plan will be reviewed annually.

2. FINANCIAL IMPLICATIONS

- 2.1 There are no financial implications as a result of this report.

3. ENVIRONMENTAL IMPLICATIONS

- 3.1 There are no environmental implications as a result of this report.

4. CRIME AND DISORDER IMPLICATIONS

- 4.1 There are no crime and disorder implications as a result of this report.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 None arising directly from this report.

6. RECOMMENDATIONS

- 6.1 That the Health and Safety Service Plan is approved.

Further information

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HEALTH AND SAFETY SERVICE PLAN 2007 – 2008

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1. INTRODUCTION

This is the fifth service plan detailing the Health and Safety enforcement functions carried out by the Commercial Section of Environmental Health and links to the overall Environmental Health Service Plan 2007/2008. This report sets out the Service Plan as required by Health and Safety Commission mandatory requirements for Health and Safety Service Plans. As the appropriate relevant member forum, the General Purposes and Licensing Committee approved the Health and Safety Service Plan 2006/2007 on 16 June 2006. This report includes a review of the 2006/2007 Service Plan and follows the style and layout of previous reports.

A glossary of terms is included at the back of this report.

- 1.1 The Council is designated as a Health and Safety Enforcing Authority under the Health and Safety at Work Etc. Act 1974 and has a statutory duty to enforce the Act in those premises allocated under the provisions of the Health and Safety (Enforcing Authority) Regulations 1998.
- 1.2 The Health and Safety Commission (HSC) has a key role in overseeing enforcement activities.
- 1.3 Section 18(4) of the Health & Safety at Work Etc. Act 1974 requires local authorities (LAs) to perform their duties in accordance with guidance from the Health and Safety Commission. The guidance, commonly known as 'Section 18 Guidance', is therefore mandatory.
- 1.4 In the view of the HSC, the following elements are essential for a local authority to adequately discharge its duty as an enforcing authority:
 - i. a clear published statement of enforcement policy and practice;
 - ii. a system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the Health And Safety Commission and Local Authorities Enforcement Liaison Committee (HELA);
 - iii. a service plan detailing the local authority's priorities and its aims and objectives for the enforcement of health and safety;
 - iv. the capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures;
 - v. arrangements for benchmarking performance with peer local authorities;
 - vi. provision of a trained and competent inspectorate; and
 - vii. arrangements for liaison and co-operation in respect of the Lead Partnership Scheme.
- 1.5 This Service Plan examines the above issues.

2 SERVICE AIMS AND OBJECTIVES

2.1 Aims of the Service

The aims of the Service remain largely unchanged from the 2006/2007 Service Plan.

The aim of the Service is to protect the health, safety and welfare of people, including employees and members of the public, who may be exposed to risks from work activities within the area of New Forest District Council. This will be achieved through securing improvements to working environments and by promoting the health of the population.

2.2 Objectives

- 2.2.1 To provide effective quality services which are accessible, open and equitable to all.
- 2.2.2 To respond promptly to all recipients of our Service courteously and in accordance with good customer care practice.
- 2.2.3 To provide a service in accordance with the Health and Safety Commission's Section 18 Guidance.
- 2.2.4 To undertake health and safety inspections and enforcement in accordance with guidance from the HSC.
- 2.2.5 To give priority to and to play an active part in the 'fit for work, fit for life, fit for tomorrow' campaign; this is known as the Fit 3 strategy.
- 2.2.6 To engage with premises with lower risk ratings with appropriate interventions as part of the overall strategy.
- 2.2.7 To investigate the more serious reported accidents, dangerous occurrences and incidents of work-related ill health. Criteria for these investigations are set out in the Health and Safety Enforcement Policy adopted by the Council in June 2006.
- 2.2.8 To promote health and safety awareness for employers and employees by ensuring that appropriate training courses are available.
- 2.2.9 To investigate health and safety complaints.
- 2.2.10 To monitor and measure the Health and Safety Service performance (see Appendix 3).
- 2.2.11 To work in partnership with other regulators, to facilitate greater reductions in accidents, ill health and sickness. We will ensure effective participation, for example, through liaison with Local Authority Partnership Schemes (LAPS), Large Organisation Pilot Projects (LOPP), supply chain initiatives and Hampshire or regionally based approaches. As much of our activity will be involved in working with the HSE to reduce national targets, measuring the performance of our regulatory service will be more difficult than in previous years. The Service has recently introduced a new computer based recording system. During 2007/2008 we will investigate how the system can be best used to provide accurate and relevant management information.

2.3 Links to Corporate Priorities: Heart of the Forest – The Council's Corporate Plan

- 2.3.1 The Council's corporate plan, *Heart of the Forest*, sets out how the Council can play a leading role in the future of New Forest District.
- 2.3.2 The plan sits at the top of a family of Council strategies and plans designed to deliver solutions to help meet the needs of our District. Most importantly, each year in June, the Council issues its performance plan which reports on its performance and sets targets against the Council's aims.
- 2.3.3 The Corporate Plan is not just a document; it informs everything the Council does and can help the Council improve its performance. It makes sure that everyone is working towards the same goal - improving the quality of people's lives.
- 2.3.4 The Council recognises that the quality of life is shaped by the economic, social and environmental conditions that exist. It firmly believes that real gains can be had by achieving positive impacts across all these three areas. To achieve this all services, including both members and employees, need to seek solutions that cross over organisational, service and strategy boundaries. This is part of our approach to achieve excellence.
- 2.3.5 Excellence is also about providing services at a level that people are willing to pay for. To achieve this we need to make full use of performance information and the views of people who receive or pay for the service.
- 2.3.6 The Council also acts as an enthusiastic and committed community leader and tries to make things happen for the benefit of the communities it serves. A better understanding of the issues facing communities can then be translated into action, either directly by this Council, in partnership with others, or enabling others to act. Our role in the New Forest Local Strategic Partnership - the Changing Lives Partnership - has helped strengthen existing partnerships, and its further development will contribute towards a better use of resources for the district. We are committed to The Heart of the Forest and strongly believe it will help this Council move closer to achieving excellence in all that it does.

2.4 Contribution of Health and Safety to Corporate Objectives

- 2.4.1 Our aim is to be an outward-looking service, working closely with the community and in partnership with others in relation to health and safety, and to enhance the quality of the lives of present and future generations. This will be achieved by:
 - i. preserving the environment of the New Forest district for the peaceful and safe enjoyment of residents and visitors by promoting health and safety; and
 - ii. understanding and fulfilling local needs through creating and maintaining healthy and safe communities for the enjoyment of all.
- 2.4.2 The Service plays an important role in meeting the social, economic and environmental strategic objectives of the Council. Engaging in the Fit 3 program and reducing accidents and ill health in businesses within the District will also contribute to a healthy community and healthy economy.

2.5 Economic Development

- 2.5.1 The policies set out in the Service Plan seek to achieve a balance between community health and development. The Service aims to reduce lost days through work-related ill health and work-related accidents, and to support economic development. We aim to take a balanced approach to health and safety enforcement which safeguards health, but does not act as a disincentive to business.

2.6 Links to National Priorities

- 2.6.1 The HSC's "A strategy for workplace health and safety in Great Britain to 2010 and beyond" sets out strategic themes and key points for health and safety. Their vision is to gain recognition of health and safety as a cornerstone of a civilised society. The HSC wishes to see LAs and the HSE working in closer partnerships, building on current examples of best practice to develop systems for sharing training, intelligence and expertise.
- 2.6.2 The Government asked a respected member of the Local Government community, Peter Rogers, Chief Executive of Westminster City Council, to examine the many areas of legislation that local authority regulatory services enforce. The Rogers Review identified sixty-one policy areas. It then sifted these using an innovative, risk-based approach, in line with the Better Regulation Commission's report on Risk, Responsibility and Regulation. This produced a list of the five areas with the greatest impact. The Review took evidence from Government departments, citizens and businesses as well as local authority Trading Standards and Environmental Health services in England.
- 2.6.3 The Review's recommendations will help to ensure that local authorities benefit from devolution promised by the Local Government White Paper without compromising regulatory outcomes or exposing business to inconsistent enforcement. It also provides evidence on regulatory areas that are likely to be strong contenders for local priorities, enabling services to make their case for inclusion in Local Area Agreements.
- 2.6.4 One of the five areas identified by the Rogers Review is improving health in the workplace – 560,000 workers each year experience illness caused or made worse by work. Health and Safety enforcement is therefore one of the five areas of Local Government enforcement activity that the Government has accepted as a priority
- 2.6.5 Another of the five areas also enforced by the Commercial Services section of Environmental Health is hygiene of businesses selling, distributing and manufacturing food and the safety and fitness of food in these premises "... each day food-borne disease leads to almost 1 death, 33 hospitalisations and 1,500 cases of illness". (Roger's Review)

3 BACKGROUND

3.1 Profile of New Forest District Council

- 3.1.1 The New Forest District is a unique blend of ancient forest, downland, small towns and villages and rural and industrial landscape, surrounded mostly by coast and rivers.
- 3.1.2 The New Forest is recognised nationally and internationally as being special. Its social and economic life is intrinsically bound up with its history and unique environment. It is distinctly different in character from the rest of Hampshire. A large part of the District is designated as a National Park.
- 3.1.3 Situated between the south coast conurbations of Southampton and Bournemouth, New Forest District Council covers an area of 290 square miles, with about 40 miles of coastline. New Forest District, with a population of 171,500 has the second highest population among non-metropolitan districts in England.
- 3.1.4 The majority of people live in the towns and larger villages that surround the National Park – Totton, Marchwood, Hythe, Holbury, Backfield, Lymington, Milford-on-Sea, New Milton, Ringwood and Fordingbridge. Totton has the largest population; Lymington has the largest commercial centre.

3.2 Organisational Structure

- 3.2.1 Accountability for health and safety enforcement activity rests with the Council's General Purposes and Licensing Committee. Responsibility for the health and safety enforcement service delivery rests with the Environmental Health Manager (Commercial), who leads the Commercial Services Group of Environmental Health. This group forms part of the Environmental Health Service headed by the Assistant Director (Environmental Health), which in turn forms part of the Community Services Directorate.

3.3 Scope of the Service

- 3.3.1 New Forest District Council is responsible for enforcing the Health and Safety at Work Etc. Act 1974 and associated regulations, in premises allocated by the Health and Safety (Enforcing Authority) Regulations 1998. In addition the introduction of the Enforcement Management Model (EMM) has required new administrative procedures. This has been achieved by carrying out those activities listed in Section 2.2. In general this is done by using the Council's own inspectors. However, due to staff shortages, illness and increasing workload, outside contractors are used from time to time to carry out inspections. The issues relating to the employment of temporary contractors are severely restricted by the need to comply with the Council's contracts compliance requirements.
- 3.3.2 The Health and Safety Service provides two broad areas of work, pro-active and reactive.
- i. Pro-active
- Inspections (programmed interventions) at premises subject to Local Authority enforcement.
 - Education of proprietors and employees through guidance, information and training.
 - Undertaking and participating in health promotion campaigns.

- Undertaking specific targeted initiatives e.g. Fit 3.
- Maintaining an accurate health & safety database now provided using Plantech Acolaid software in place of previous computer software.
- Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, Commission for Social Care Inspection and Office for Standards in Education (OFSTED).
- Devising material to assist businesses to better comply with the Law and good practice.
- Smoke-free legislation is being introduced in July 2007. Although made under the Health Act 2006, this work is inextricably linked to the health and safety function. This will be a major area of officer activity in 2007/2008. This Service will have the responsibility for enforcing the smokefree legislation across a wide range of premises, including premises dealt with by the Health and Safety Executive for mainstream work. This will form a large part of our work plan until the end of this calendar year, with the consequent reduction in the application of resources to our main core activities.
- Provision of health and safety training.

ii. Reactive

- Investigating reported accidents, diseases and dangerous occurrences.
- Responding to complaints and requests for service (which will include information required to be provided under the Freedom of Information Act, and other enquiries from the press and local media.
- Enforcement of legislation.
- Assessment of applications for licensed events throughout the year, and application of resources.
- Assessing notifications of asbestos removal works.

3.3.3 Other functions of the Commercial Team, not of a health and safety nature, include:

- Programmed food safety inspections.
- Investigation of complaints about food safety and hygiene issues.
- Enforcement of Sunday Trading legislation.
- Provision of food hygiene training.
- Organising and holding Safer Food Better Business seminars.
- Assessment of Operational Schedules of licensed premises (liquor & public entertainment).
- Infectious diseases control.
- Continued involvement with emergency planning.
- Work associated with Caravan Site licensing.
- Work associated with Animal Welfare licensing.
- Enforcement of clean neighbourhoods legislation in conjunction with other services.
- Work associated with any new legislation, e.g. caravan licensing and animal welfare licensing under the Animal Welfare Act.
- The new smokefree legislation may have major implications for other core functions of the Service.

3.4 Demands on the Health and Safety Service

3.4.1 As at 24 May 2007 there were 2798 active premises on the group's Acolaid database.

3.4.2 The Commercial Services Group is based at the Town Hall, Avenue Road, Lymington, and contactable during normal office hours of 08.45 - 17.15 Monday to Thursday and 08.45 - 16.45

Friday. There is no normal service outside of these hours; however, an emergency service is provided for matters such as major accidents.

3.5 *Enforcement Policy*

- 3.5.1 New Forest District Council has formally adopted the Enforcement Concordat and this is also reflected in both the Environmental Health Enforcement Policy and in the Health and Safety Enforcement Policy Statement. These policies are in line with statutory guidance issued by the Health and Safety Commission.
- 3.5.2 In 2003/2004 the Health and Safety Commission directed that Local Authorities apply the EMM when considering enforcement action. Training programmes to familiarise Officers who undertake Health and Safety Enforcement has been carried out. This Service has introduced the use of the EMM in accordance with Health and Safety Commission direction.

4 SERVICE DELIVERY

4.1 Health and Safety Premises Inspections

4.1.1 New businesses will be assessed using an initial contact form to gather, either by telephone or by visit, the necessary information to carry out an initial hazard rating. Based on this rating, the business will be dealt with by a topic inspection approach, or by an appropriate intervention strategy. National priorities are contained within the HSC strategy and are:

- Falls from height
- Workplace transport
- Musculoskeletal disorders
- Workplace stress
- Slips and trips
- Health priorities disease reduction

The topic inspection approach will concentrate on these areas.

4.1.2 Existing businesses identified as higher risk i.e. those assessed under the HSE / Local Authorities Enforcement Liaison Committee (HELA) Local Authority Circular (LAC) no. 67/1 revision 3, as A, B1 or B2, will continue to be inspected using the topic inspection approach system as detailed above.

4.2 Fit 3

4.2.1 Participating in Fit 3 will be an important part of our service delivery.

4.2.2 The Fit 3 strategy is based on an analysis of injury and ill health data across known hazards and sectors. In businesses large and small, it is designed to reflect more clearly the link between programmed activity and intended outcomes. More focused on delivery, it allocates resources to those activities where accidents and injuries most commonly occur, and scales back activities that make lesser contributions to HSC targets. The National Targets to reduce the number of accidents and days lost through work related ill health against a baseline of 2004/2005 are:

- Injury reduction – 3% reduction in the incidence rate of work-related fatal and major injuries
- Ill-health reduction - 6% reduction in the incidence rate of cases of work-related ill health
- Days lost – 9% reduction in the incidence rate of days lost due to work-related injuries and ill health.

4.2.3 The resources allocated to the Fit 3 programme for 2006/2007 are set out in Appendix 1 Table 1 and the resources allocated for the Fit 3 programme for 2007/2008 are listed in Appendix 1 Table 2. These campaigns are evidence based to ensure that there is the greatest scope for incidence reduction, and are based on input from the Health and Safety Executive (HSE) and LAs. The outcomes and their effectiveness will be evaluated nationally by the HSE. We will also continue to look locally at accident and injury rates to ensure that the campaigns address local priorities.

4.2.4 Where possible, premises which are currently high risk premises will be included in any suitable project to achieve the highest possible impact. These will be identified through the current priority planning process, through national targeting work undertaken by HSE and through the effective use of local knowledge about employment and poor performers. As previously stated, programmed high risk inspections will include premises rated A, B1 and B2 due for inspection.

4.3 Establishment.

4.3.1 The current establishment of the Commercial Services Group is:

- 1 x Environmental Health Manager post;
- 2 x Senior Environmental Health Officer posts (team leaders);
- 7 x Environmental Health Officer posts (two of which are filled by Technical Officers currently working towards qualification). One is currently vacant and is being covered by a contractor.
- 3 x Environmental Health Technician posts, one of which is currently vacant.

4.3.2 The enforcement of health and safety legislation forms part of the work responsibility of the officers in the team. The Service also carries out licensing duties covering animal boarding establishments, pet shops, and caravan sites, as well as responding to liquor and entertainment license consultations, and also undertakes food safety work. The food safety service provided by the section is outlined in a separate service plan document.

4.4 Competency

4.4.1 Each officer’s competency has been determined based on their qualifications, experience and training. This competency is reviewed on an ongoing basis by the Commercial Services Manager. In addition, bi-monthly peer review meetings have been set up specifically to achieve consistency of approach.

4.4.2 At the present time the following officers work on health and safety related matters:

Name	Competency
Derek Jordan	Full, including service of notice and prosecution
Stephen Stone	
Robert Lennie	
Ben Stockley	
Phil Thompson	
Roger Paterson (contract EHO)	
Jeremy Stout	
Owen McGrath	
Jenny Taylor	Inspection and Service of Notice
Andrew Weldycz	Inspection
Nicola Johnston	
Dale Bruce	
Administration: Fiona Willis Susan Dowson Claudia Crack	Admin Duties

4.5 Partnership

- 4.5.1 In 2005/2006 this Service started to work more closely with neighbouring authorities and with the HSE. It is the intention that this partnership working will play an ever increasing role in the delivery of the service. The HSE have made access available to their Health and Safety Extranet and this has proved to be a useful additional source of information. It is proposed to hold joint events with neighbouring authorities and with the HSE. Taking part in national campaigns has given the advantage in that the HSE has provided finance for extensive publicity and for campaign materials. It is understood that this support will continue but at a level which may not be as intensive as previously experienced. Fit 3 projects will require the application of at least the equivalent of 2 full time Environmental Health Officers (see Appendix 1).
- 4.5.2 A cabinet member signed the LAs and HSE working together agreement on behalf of NFDC on 17 March 2005. This agreement is still valid in 2007/2008.
- 4.5.3 As a consequence of closer co-operation, all the authorities in Hampshire and Isle of Wight are taking part in a pilot project on joint warranting. The pilot scheme ran from September 2005 until April 2006. During the pilot, the HSE and LAs have appointed a number of their inspectors so that they can act for the partner organisation. The HSE consider that this will provide a better, more efficient service. This scheme is continuing in 2007/2008.

4.6 Health and Safety Legislation

- 4.6.1 New health and safety legislation is published on a regular basis and will be accommodated accordingly.

4.7 Health and Safety Guidance

- 4.7.1 The premises for which the Local Authority is responsible are listed in the Enforcement Authority Regulations. HSC are currently reviewing divisions of responsibility between the HSE and Local Authorities and their respective ways of working. Further consultation with the HSE indicates that they are looking to work more closely with Local Authorities in future and to increase partnership working.
- 4.7.2 In 2005/2006, following HSC guidance, this Service altered its work programme, moving away from planned general inspections for all categories to a focused topic inspection approach for higher risk premises using planned special interventions, surveys and enforcement. These visits are now making up the largest part of the Local Authority's enforcement activity. This approach will continue in 2007/2008. The following examples illustrate the changes that have been introduced into the Service's enforcement activities in 2006/2007:
- Joint collaboration with other LAs and the HSE on the Working at Height campaign.
 - Visits to businesses on industrial estates to provide information on the Working at Height campaign.
 - Visits to high risk premises in connection with the Backs 2006 campaign and distribution of Better Backs 2006 support material.
 - Visits to hairdressers in connection with the disease reduction campaign and distribution of dermatitis packs.
 - Topic inspection approach to higher risk premises where Fit 3 programmes were covered.
- 4.7.3 Premises to be visited in support of initiatives within the HELA strategy will be selected on the basis of priority from those on the planned inspection programme. Initiatives of this sort will

normally be directed at the targets set out in the HSC strategy statement “Revitalising Health and Safety”, topic inspection areas and by Fit 3. Premises have been selected where the hazard is known or expected to be present. Additionally, partnership projects and joint working between LAs and HSE have been carried out.

- 4.7.4 In 2005 the Hampton Report was produced following a government initiated review of regulatory services. The report recommended a simplification of regulatory services. The main effect of the report and its findings on Environmental Health regulatory services is that proactive visits should not be conducted just because a premise is due for inspection but when there is a specific reason to visit. A new regime was drawn up by the Commercial Services Manager in 2005/2006, and this will continue in 2007/2008.

4.8 *Targets 2006/2007*

- 4.8.1 Following a review of performance over the 2005/2006 and 2006/2007 years, the Service has been able to perform at a higher level than was predicted in the previous service plans. In addition, a significant change in the manner in which health and safety legislation is enforced has been introduced by the HSC. This has enabled the changing focus previously detailed and will result in enhanced performance predictions.
- 4.8.2 It is proposed to carry out at least 90% of the high risk premises due for inspection in 2007/2008. This target is realistic as the impact of Fit 3 and the effect the partnership approach, and the revised approach to health and safety, are uncertain.
- 4.8.3 It is proposed to participate in the Fit 3 programme as set out in Appendix 1.
- 4.8.4 The backlog of inspections has been substantially reduced from 203 in the previous year to 24 at 31 March 2007. It is anticipated that the backlog can be further reduced in 2007/2008 to a point where it is no longer significant.

4.9 *Complaints/Requests for Service*

- 4.9.1 This Service will consider and respond where practicable to all complaints. The number of complaints received each year varies; in the year 2006/2007, eighty-two health and safety related complaints and service requests were recorded.
- 4.9.2 In 2006/2007, the Service responded to seventy-four requests for Service in relation to Public Entertainment Licences, Formal Consultations, Cinema Licences and Theatre Licences under existing legislation.

4.10 Accidents

4.10.1 Last year this authority received some 162 notifications of accidents reportable under the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 1995. Following the criteria in Health and Safety Enforcement Policy the group visited and investigated thirty-two of the more serious accidents. The amount of time to investigate accidents is not easy to estimate. There have been a number of serious accidents which have required detailed investigations, and the input of significant time and resources. In addition, there has been one fatality investigation which had national significance and required an extensive report to HM Coroner and appearance in the Coroner's Court. The Coroner subsequently complimented both the Officer and the Service for the quality and professionalism of the report.

4.11 Advice to Business

4.11.1 This Authority is actively engaged with local businesses, and has a policy to adopt an educative and persuasive approach in relation to enforcing health and safety law. A great deal of time is spent in giving advice and support for local businesses as this is considered an efficient and effective use of resources. It also provides an effective intelligence mechanism as to what issues currently concern businesses in relation to health and safety.

4.11.2 In relation to health and safety, the Council can, where necessary, provide translation support to businesses where English is not the first language.

4.11.3 In 2006/2007 this Service held a health and safety training course and participated in other training courses in conjunction with the HSE on Fit 3 related projects.

4.12 Liaison with Other Organisations

4.12.1 The group is represented on the Hants and Isle of Wight Health and Safety Advisory Group which aims to ensure the uniformity of enforcement throughout the County, and is investigating improving links with other organisations.

4.12.2 In accordance with HSC guidance, this Authority will contact and, if necessary, liaise with the relevant Lead Authority:

- i. before taking formal enforcement action;
- ii. after serving a Prohibition Notice;
- iii. when significant shortcomings are identified in a participating organisations agreed policies; and
- iv. following any on-site investigation of any death or dangerous occurrences, or in the case of major injury or case of work related ill-health, where there are significant findings.

5 RESOURCES

5.1 Financial Allocation

5.1.1 The budgets associated with health and safety enforcement are set out in Appendix 2.

5.2 Staff Development Plan

5.2.1 Training needs for 2007/2008 are identified at a yearly Performance Development Interview.

5.2.2 It is envisaged that training for the year ahead will be provided by a mixture of external courses, such as those run by the Hants and Isle of Wight Health and Safety Advisory Group (HASAG), the HSE and internal sessions developed by Senior Environmental Health Officers, in conjunction with the Environmental Health Manager.

5.2.3 In 2006/2007, officers attended a wide range of training courses as identified as supporting their training needs. The following courses and seminars were attended by individual officers:

- Work related death
- Topic inspection approach
- Disease reduction programme
- Duty to manage asbestos
- Health and safety accident investigation
- Management of health and safety
- Training re Fit 3 campaigns
- Health and safety in cellars
- Health and safety in the hairdressing and beauty sector
- Courtroom skills
- Training to teach health and safety courses

This training is ongoing and will continue in 2007/2008.

6 QUALITY ASSESSMENT

6.1 *Quality Assessment*

6.1.1 The Service Manager is continually reviewing competency and quality issues.

6.1.2 A health and safety self assessment of the year 2006/2007 was carried out on behalf of the HASAG (see Appendix 4). The results show that the Council performed well, coming within the top 25% of Hampshire authorities.

7 REVIEW

7.1 Review of Service Plan 2006/2007

- 7.1.1 The main variations in the Service Plan for 2005/2006 are given below:
- 7.1.2 In the last Service Plan there were 2821 active premises on the health and safety database. This was 2798 as at 24 May 2007.
- 7.1.3 The HSE policy document, 'Revitalising Health & Safety', is still the focus of our approach and we targeted visits and projects into the priority topic areas.
- 7.1.4 Topic inspection approaches to higher risk premises was still the main focus of our inspection strategy. Training has been held for officers.
- 7.1.5 The Service took part in the following initiatives:
- Backs 2006, for which this Authority provided the lead officer for Hampshire.
 - Slips trips and falls
 - Manual handling
 - Working at height
 - Dermatitis in hairdressers
 - The Service organised and held events to support the FIT3 campaign with the HSE and other LAs.
- 7.1.6 A quality and competency mechanism continues to be developed. This includes accompanied inspections, file reviews and corrective training as required. Regular peer review meetings have been introduced for officers involved in health and safety. These meetings focus on maintaining and improving the standards of inspections and work to improve the competence of officers and consistency of approach.

7.2 Areas of improvement Identified in the 2006/2007 Service Plan

- 7.2.1 Each of the areas identified as requiring improvement for that year are set out in Appendix 3

8 IMPROVEMENT

8.1 Areas of Improvement for 2007/2008

- 8.1.1 In 2006/2007 we dramatically changed the way in which the service operated. A much greater emphasis was given to carrying out projects with the HSE; although we continued to inspect high risk premises to ensure that the inspection program had a local dimension and still related to corporate aims of the Council. This approach will continue and evolve in 2007/2008.
- 8.1.2 In 2006/2007 we conducted programmed visits to reflect government thinking and achieve alignment with the approach of the HSC. We mainly visited premises proactively if their business type appeared to be in the HSC defined key sectors or there was an important local dimension. During our visit we generally discussed and investigated the businesses approach to priority areas. This approach will continue and evolve in 2007/2008.
- 8.1.3 In line with the Council's corporate objectives, the Service will concentrate resources on those premises most likely to cause working days lost and public injury from their work activity. Where analysis shows that significant reductions in injury, ill health or sickness absence will be achieved through targeted intervention, priority will be given to this area of work.
- 8.1.4 We will continue to improve the reactive services provided, including dealing with accident investigations and complaints about working conditions, which take priority over any programmed visits, to ensure that requests for service are dealt with efficiently. This is particularly important in the summer months when tourism impacts on the number of requests for service. As tourists may not be in the area for very long, and to support the Council's commitment to economic development and sustainability, a positive and swift response is important.
- 8.1.5 We will look at how we record information on the Acolaid System and develop systems to provide management control, quality control and the provision of information. The provision of reliable data for this report has been difficult owing to problems related to the changeover from the previous software to Acolaid.

9 IMPLICATIONS OF THIS REPORT

9.1 *Financial*

9.1.1 There are no financial implications as a result of this report.

9.2 *Environmental*

9.2.1 There are no environmental implications as a result of this report.

9.3 *Crime and Disorder*

9.3.1 There are no crime and disorder implication as a result of this report.

10 CONCLUSION

Performance has generally achieved the predicted targets. In addition the inspection performance has been exceeded by 20%, even though the Service has had extensive involvement with both project work and initiatives with the HSE. The HSE has clarified their guidance in respect of performance. This has resulted in a shift away from the measurement of programmed inspection to a greater participation in regional and national projects.

A handwritten signature in black ink, appearing to read 'D Jordan', with a horizontal line underneath it.

Derek Jordan
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GLOSSARY

CSCI	Commission for Social Care Inspection
HSC	Health and Safety Commission
HSE	Health and Safety Executive
HELA	Health and Safety Executive Local Authorities Enforcement Liaison Committee
EMM	Enforcement Management Model
LAC	Local Authority Circular
REV3	Revision 3
CIEH	Chartered Institute of Environmental Health
FIT 3	Fit for work, fit for life, fit for tomorrow
LAPS	Lead Authority Partnership Schemes
LOPS	Large Organisation Pilot Projects
LAs	Local Authorities
HASAG	Health and Safety Advisory Group (within Hampshire and the Isle of Wight)

APPENDIX 1 PORTFOLIO OF FIT3 PROJECTS - New Forest District Council
Table 1 Assessment of Fit 3 projects undertaken 2006/2007
Table 2 Proposed involvement in FIT 3 activity 2007/2008

Table 1 - Portfolio of Fit 3 projects 2006/2007

Project/Initiative Key Points for 2006/2007	Participation in the Fit 3 campaigns this year (2006/2007)	Level of resources that were allocated in 2005/2006 year to each project as FTEs*.
SLIPS AND TRIPS <ul style="list-style-type: none"> ▪ Aimed at retail, warehousing and care homes ▪ Can be included in any H&S intervention visit/inspection ▪ Topic inspection 	Yes	0.5 FTE Contribution included inspection of high risk premises
FALLS FROM HEIGHT <ul style="list-style-type: none"> • Focus on use of ladders, maintenance of equipment, consideration of alternative access methods • Aim at facilities management, any premises with high level lighting, storage premises specific issues 	Yes	0.5 FTE Focus on industrial estates management companies and other appropriate businesses
WORKPLACE TRANSPORT <ul style="list-style-type: none"> • 20% attributable to 32 companies, including Royal Mail, delivery/logistics, supermarkets, bakeries 	Yes	While we did not participate in the programme as such we continued to promote this subject as part of topic inspection approaches in high risk premises
CONTACT DERMATITIS <ul style="list-style-type: none"> • Aim at: hairdressers, barbers, beauticians, cleaners and food preparation. 	Yes	0.5 FTE Included inspections to hairdressers
FLOUR DUST – FOOD PREPARATION/BAKERIES <ul style="list-style-type: none"> • Supermarket bakeries, caterers using flour as major ingredient in preparation from prime products. 	Yes	But limited to topic inspection approaches in high risk premises
ASBESTOS AT WORK <ul style="list-style-type: none"> • Aim at: Maintenance workers, facilities management 	Yes	But limited to topic inspection approaches in high risk premises
STRESS <ul style="list-style-type: none"> • Aim at: Financial Services, Head Offices (Regional Offices) 	No	
FINANCIAL INSTITUTIONS <ul style="list-style-type: none"> • Aim at: about 100 organisations 	No	
MOVING GOODS SAFELY <ul style="list-style-type: none"> • Aim at: Supply chain 	Yes	But limited to topic inspection approaches in high risk premises
ROYAL MAIL <ul style="list-style-type: none"> • Aim at: Delivery staff – peripatetic, dispatch. 	No	
BETTER BACKS	Yes	Participation in seminar and Better Backs visits distributing packs
TOTAL RESOURCE	-----	2 FTE on projects

* Please note the allocation of resources has been estimated

Table 2 - Portfolio of Intended Projects for 2007/2008

Programme	Topic	Overview	Participation proposed – Yes/no	Please indicate level of resources that you plan to allocate in 2007/2008 to each project as FTEs*.
Disease Reduction Programme	Asbestos	Focuses on the duty to manage and identify where asbestos is likely to be found and the dangers of disturbing it. Forming part of inspection programme with publicity campaign in Sept 2007	Yes	As part of high risk inspection and national campaign FTE 0.25
	Skin Disease	This project looks to reduce incidences of skin disease in cleaners, caterers, hairdressers and beauticians.	Yes	As part of high risk inspection programme FTE 0.25
Injury Reduction Programme	Falls from Height	Falls From Height – Aimed at facilities management companies and those who procure and/or manage plant and building maintenance.	Yes	Targeted inspections FTE 0.25
		Falls From Height - Ladders Week (June 2007)	Yes	Targeted inspections to support campaign FTE 0.25
	Workplace Transport Campaign	Targeting workplace transport, intensifying during publicity effort in Autumn 2007. Specific focus on falls from vehicles	yes	Limited to high risk topic inspection approach
	Moving Goods Safely	Continuation of the supply chain initiatives and focusing on logistic companies warehouses and road haulage	No	
	Slips and Trips - Retail, Hospitality & Catering	Targeted approaches to specific industries such as hotels and retail shops, and catering, including an emphasis on appropriate enforcement	Yes	Limited to high risk topic inspection approach
	Slips and Trips - Cleaning Contractors	Focusing on slips and trips associated with cleaning, manual handling and dermatitis.	Yes	Limited to high risk topic inspections
	Noise and Hand Arm Vibration - Music & Entertainment	To raise awareness of the Control of Noise at Work Regulations which come into force in April 08 at venues with live or recorded music?	Yes	Specific projects FTE 0.5
	Royal Mail	Coordinated management interventions – continuation of earlier project	No	
Return to Work Programme	Better Backs, including upper limb disorders	Better Backs 2008 including work-related upper limb disorders and targeting of poor performers, during Jan - Feb 2008.	Yes	Specific projects and follow up work from previous projects FTE 0.5
Stress	Stress	Work involving finance organisations (targets identified by stress programme team)	No	
Public Health	Implementing Smokefree	While this work does not form part of HSC's Fit 3 Programme, L A s may also wish to record time allocated to this work	Yes	Major campaign /projects FTE 2.0
Total resource				FTE 4

APPENDIX 2

HEALTH AND SAFETY ENFORCEMENT BUDGET

Portfolio - 3000 General Purposes & Licensing Committee
 Policy Budget - 3300 Health & Safety
 Cost Centre - FE100 Health & Safety

Budget Holder - D Jordan

Accountant - N Doyle

		Actual 2005/06	Original 2006/07	Original 2007/08
Employee Costs				
Legal & Democratic Services (SA700)	E742	1,610	1,680	1,740
Accountancy (SD950)	E780	80	80	80
Health Commercial (SE410)	E820	181,558	190,530	198,680
Total : Employee Costs		183,248	192,290	200,500
Supplies & Services				
Equipment & Tools	S002	0	140	140
Materials	S008	0	140	140
Hired & Contracted	S040	500	810	830
Total : Supplies & Services		500	1,090	1,110
Support Services				
Corporate Costs (LH000)	A999	21,520	24,110	25,580
Total : Support Services		21,520	24,110	25,580
Total Expenditure		205,268	217,490	227,190
Income				
Fees & Charges	R424	-100	-70	-70
Total : Income		-100	-70	-70
Total Income		-100	-70	-70
Net Expenditure		205,168	217,420	227,120

**APPENDIX 3
PERFORMANCE REPORT 2006/2007
(INCLUDING KEY TARGETS FOR 2007/2008)**

The Health and Service Plan was submitted to General Purposes and Licensing Committee on 16 June 2006. Details are set out in the following tables.

This report also sets out an indication of the targets that are likely to be set in the 2007/2008 Service Plan.

Lead Officer	Environmental Health Manager (Commercial)
Service Status	Statutory

Objectives for 2006/2007	Position as at 31 March 2007
<ul style="list-style-type: none"> • To achieve 80% of programmed health and safety inspections. • To engage with lower risk premises by appropriate intervention • To investigate the more serious accidents • To prepare a Service Plan and seek approval. • To promote appropriate training courses • To investigate complaints 	<ul style="list-style-type: none"> • See Key Measures below • 417 lower risk premises were dealt with by alternative enforcement strategy. • See Key Measures below • Service Plan submitted 16 June 2006 • Training course held • See Key Measures below

Key Measures of Success for 2005/2006, 2006/2007 and 2007/2008 [L = Local Targets]

		2005/2006 Target	Position as at 01/06/2005	2006/2007 Target	Position as at 31/03/07	2007/2008 Target
Effectiveness	- % of programmed inspections carried out (L)	80%	89%	80%	100%	90%
	- Investigation of serious accidents (L)	100%	100%	100%	100%	100%
	- to respond to complaints within 3 days (L)	100%	99%	100%	100%	100%
Quality	- respond to notification of accidents within 24 hrs. (L)	100%	100%	100%	100%	100%
	- customer satisfaction through business questionnaire (L)	100%	100	100%	100%	100%

Performance Report 2006/2007 Continued

Areas of improvement identified in the 2006/2007 Service Plan. Each of the areas identified as requiring improvement in that year are set in the following table.

Improvement 2006/2007	Position at 31/05/07
<p>In 2006/2007 we will dramatically change the way in which the Service operates. A much greater emphasis will be given to carrying out projects with the HSE. Although we will continue to inspect high risk premises to ensure that the inspection program has a local dimension and still relates to corporate aims of the Council, these visits will be of a lower priority.</p>	<p>A major emphasis was given to participating in Fit 3, which involves close cooperation with the HSE and other LAs (see Appendix 2, Table 1). All high risk premises were inspected.</p>
<p>We will conduct programmed visits to reflect government thinking and achieve alignment with the approach of the Health & Safety Commission. We will only visit premises proactively if their business type appears in the Health and Safety Commission defined key sectors, or there is an important local dimension. During our visit we will only discuss and investigate the business' approach to priority areas. These areas and business sectors have been prioritised following interrogation of national accident statistics and other intelligence.</p>	<p>Programmed visits were carried to Higher Risk premises to meet the objectives set out in service plan for 2005/2006 Proactive visits were carried out to premises as part of campaigns or imitative to meet the objectives set in the service plan for 2005/2006.</p>
<p>In line with the Council's corporate objectives, the aim is to concentrate resources on those premises most likely to cause working days lost and public injury from their work activity – or where the analysis shows that significant improvement reductions in injury, ill health or sickness absence will be achieved through targeted intervention (i.e. targeting sectors where we will get the greatest return from intervention).</p>	<p>Resources were concentrated on higher risk businesses. The main focus was on topic inspection approaches focusing on the areas most likely to cause injury or ill health</p>
<p>The reactive services provided, such as dealing with accident investigations and complaints about working conditions, take priority over any programmed visits to ensure that requests for service are dealt with efficiently. This is particularly important in the summer months where the influence of tourism on the area impacts on the number of requests for service. As tourists may not be in the area for very long and to support the Council's commitment to economic development and sustainability, a positive and swift response is important.</p>	<p>Priority was given to accident investigations and complaints about working conditions</p>

**APPENDIX 4
HAMPSHIRE AND ISLE OF WIGHT MATRIX 2006/2007
A HEALTH AND SAFETY SELF ASSESSMENT OF THE YEAR 2006/2007**

Name of Council: New Forest District Council
 Name of persons completing: Derek Jordan/Bob Lennie
 Submitted 28/09/06

MATRIX 2006	TOTAL SCORE
Enforcement Policy	3.6
Quality Assurance and Management System	3.4
Staff Competency	4.0
Communication with Stakeholders	2.4
Derivation of Costs	4.0
Premises Inspections	4.0
RIDDOR	3.0
Service Requests	4.0
Education	3.0
Promotion	2.3

Note: the maximum score for each element is 4.0.

APPENDIX 5 – Activities Summary

Introduction

This appendix has been added to provide the Committee with a straightforward picture of what the service does in relation to Health and Safety. This appendix pulls together information provided in the report and also gives additional information provided in the Council's Health and Safety return for 2006/2007.

Table 1. Number of NFDC enforces premises and visits (excluding petroleum licensing visits)

Type of premises (examples are included in the guidance)	(a) Total number of Premises at 31/3/2007	Proactive visits		Revisits		Reactive visits			(h) Total visits (columns b to g)	(i) Other contaces e.g. mailshots, SAQs
		(b) Planned Fit 3 Visits	(c) Other Planned visits (based on risk rating)	(d1) Fit 3 Revisits	(d2) Other revisits	(e) Visits to Investigate Accidents	(f) Visits following requests for Health and Safety service received by LAs	(g) Other visits		
1. Retail Shops	874	18	127	8	5	11	29	3	201	1
2. Wholesale shops, warehouses, and fuel storage depots	129	15	6	5	1	6	1	2	36	0
3. Offices	483	2	45	1	2	1	0	0	51	2
4. Catering, restaurants and bars	494	20	120	3	5	5	13	4	170	1
5. Hotels, camp sites and other short-stay accommodation	196	8	28	1	1	6	0	0	44	0
6. Residential care homes	74	0	7	2	0	0	1	2	12	0
7. Leisure and cultural services	142	11	17	0	0	3	7	43	81	0
8. Consumer services	345	5	60	1	1	0	1	9	77	0
9. Other premises (not classified above)	61	0	7	0	0	0	0	0	7	0
Totals	2798	79	417	21	15	32	52	63	679	4

Table 2. Staff resources devoted to health and safety enforcement work in 2006/2007

	Number of Inspectors	Percent of time spent on health and safety	
Inspectors working full-time hours (include those who spend either all or some of their time enforcing (or managing) health and safety and contractors or agency staff with HSWA powers.)	3	10	
	1	20	
	5	30	
	2	50	
	2	80	
Other staff resources devoted to health and safety work (staff with <u>no HSWA powers</u> e.g management, admin support, agency staff, consultants, training providers)	Number of Staff	Percent of full-time hours	Percent of time spent on health and safety
Administration Support	4	33	33

Table 3. Number of Enforcement actions in 2006/2007

Type of Premises	(a) Informal notices	(b) Improvement notices	(c) Deferred prohibition notices	(d) Immediate prohibition notices	(e) Formal cautions / cases reported to the Prosecutor Fiscal
1. Retail Shops		23		4	
2. Wholesale shops, warehouses, and fuel storage depots	11	10			
3. Offices	8				
4. Catering, restaurants and bars	15	7			
5. Hotels, camp sites and other short-stay accommodation	7	6		8	
6. Residential care homes		20		3	
7. Leisure and cultural services	5	9		2	
8. Consumer services	7				
9. Other premises (not classified above)					
Totals	53	75		17	

Examples of major Investigations:

- A major investigation was carried out into a work related death at a local horse riding event. This investigation involved a full investigation, coroners report and appearance in Coroner’s Court. The time taken on this investigation has been estimated to be 0.5 Full-time equivalent (FTE) of one officer.
- An accident investigation led to the prosecution of a national company for breaches in health and safety legislation. The company was fined £18,500 and ordered to pay £5000 to the victims. Costs of almost £4900 were awarded to the Council. This investigation has been estimated in taking 0.25 FTE of one officer.

Examples of Major Projects:

This authority took part in major projects involved in the fit 3 campaign. This included:

- Joint collaboration with other LAs and the HSE on the Working at Height campaign.
- Visits to businesses on industrial estates to provide information on the Working at Height campaign.
- Visits to high risk premises in connection with the Backs 2006 campaign and distribution of Better Backs 2006 support material.
- Visits to hairdressers in connection with the disease reduction campaign and distribution of dermatitis packs.
- Topic inspection approach to higher risk premises where Fit 3 programmes were covered.

It is estimated that this work took the equivalent of a total of 3 full-time officers over the year.

Outstanding work

There has been a backlog of inspections for a number of years. This has been substantially reduced from 203 in the previous year to 24 at 31 March 2007. It is anticipated that the backlog can be further reduced in 2007/2008 to a point where it is no longer significant.

Conclusion

- The service carried out all planned inspections in High Risk premises (A, B1 and B2) achieving 100% of the target
- The service made a major contribution to the National fit 3 programme.
- The service was successful in taking a prosecution following the investigation of a major accident
- The service carried a fatal accident investigation
- The service reduced the number of outstanding visits on the missed list