
CHANGES TO HEALTH AND SAFETY INSPECTION PROGRAMMES

1 SUMMARY

- 1.1 This report appraises Members of changes introduced by the Health and Safety Executive/Local Authorities Enforcement Liaison Committees' (HELA) circular concerning intervention programmes and an inspection rating system.
- 1.2 The HELA Circular LAC 67/1 (rev3), updates, clarifies and replaces existing guidance to local authorities. It requires a shift in focus to reflect the Health and Safety Commissions' (HSC's) new strategy and new approaches to develop more effective interventions. This must be in place by 1st April 2005 at the latest.

2 INTRODUCTION

- 2.1 The revised guidance gives advice on arrangements for implementing an interventions programme which is a key part in demonstrating that adequate arrangements have been made by the local authority for enforcement of health and safety.
- 2.2 An interventions programme comprises planned general inspections, planned enforcement initiatives, investigation of accidents, advice, visits to new premises and revisits to check. The priority is to undertake topic based inspections, partnership projects, regular visits to the high risk premises and ensuring a capacity exists to react to and investigate a sample of workplace accidents and complaints about health and safety standards.
- 2.3 Planned special interventions, surveys or enforcement initiatives should make up the largest part of a Local Authorities' enforcement activity. This will normally be directed at topic inspection areas and will include partnership working with the Health and Safety Executive (HSE) and other Local Authorities. It is likely that these activities will be co-ordinated through the Essex Occupational Safety and Health Group.
- 2.4 Within the work programme time must be allowed for the initial inspection of new premises. This will include premises which have yet to receive an inspection. However changes to the risk rating scheme will mean that once they have been inspected, premises in lower categories will not normally form part of the overall inspection programme.

3 HELA GUIDANCE

3.1 Topic Based Inspections

The priority topics are Slips and Trips; Workplace Transport; Musculoskeletal Disorders; Falls From Height and Stress. These areas have been considered

by the HSC as contributing to the highest rate of accidents and ill health. By concentrating on these areas the resources available for health and safety enforcement can be targeted to achieve the greatest impact. HELA expects enforcement officers to concentrate on the five topic areas during inspections and reactive investigation, rather than all encompassing inspections.

3.2 Risk Rating Scheme

Changes have also been made to the priority planning framework as set out in LAC 67/1. The highest hazard/risk, Category A, premises must be inspected no less than once a year. For the intermediate categories, Category B Premises; Premises falling in Category B1 must be inspected no less than every 18 months and those in Category B2 no less than once every two years. Premises in Categories B3 and B4 should be targeted by other intervention strategies and their ratings reviewed at 3 and 5 year intervals respectively. The lowest hazard/risk, Category C premises must be subject to other intervention strategies.

Previously premises in category A were inspected annually so there is no change in the highest category. Premises in categories B1 and B2 were inspected at two and three year intervals respectively, therefore the frequency of inspection in these categories has increased. Premises in categories B3 and B4 were inspected at 4 and 5 year intervals respectively. These categories of premises are no longer required to be part of the inspection programme and therefore this is a substantial change in the guidance. Category C premises did not previously have a suggested frequency and the guidance now requires that these premises are targeted with other intervention strategies.

There are seven elements to the risk rating scheme: safety hazard (a hazard is something with a potential to cause harm); health hazard; safety risk (a risk is the likelihood that the harm from a particular hazard will be realised); health risk; welfare; public risk; and confidence in management. Currently, our Category A premises include: builders merchants, boat yards; Category B1: warehouses, beauty therapists; Category B2: pubs, restaurants, shoe repairers; Category B3: hairdressers, large offices; Category B4: post offices, churches; Category C: estate agents, travel agents, chemists, small offices. However, the rating will change dependent not only on the type of the business but also on the conditions and controls found at the time of inspection.

3.3 Other Intervention Strategies

The guidance refers to other intervention strategies, and it is left to local authorities to decide the most suitable methods. Suggested interventions are monitoring of incident reports, seminars, questionnaires and considering planning, licensing and other formal applications. It is intended that the Council's health and safety seminar for small businesses, which has been organised in the last two years, would form part of this strategy. These

activities will be co-ordinated throughout Essex, using the Occupational Health and Safety Group as a forum for discussion.

4 RISK IMPLICATIONS

- 4.1 To promote enforcement consistency, national guidance should be followed. In the short term, the new approach moving away from all encompassing inspections and focussing on the topic areas is a change in the method of work. However, following appropriate training and regular discussions on the topic areas, operationally there will be no short-term issues. In the medium to long term (3 years) there will be fewer inspections of lower risk premises and more activity targeted at the higher risk premises.
- 4.2 Failure to comply with the guidance may result in a negative audit report from HSC which would affect the reputation of the Council.
- 4.3 Local Authorities are required to make adequate arrangements for health and safety enforcement. The revised circular gives guidance on an interventions programme which is a key part in demonstrating that adequate arrangements have been made. Failure to do so can result in the HSC auditing the local authority and taking default action.

5 RESOURCE IMPLICATIONS

- 5.1 Whilst this new approach presents no change in the current resourcing levels, it is proposed to keep this under review. There will be less focus on lower risk premises and more emphasis on the relatively smaller number of higher risk premises which will in time lead to a decrease in the overall resources required for the health and safety service.

6 RECOMMENDATION

- 6.1 It is proposed that the Committee **RESOLVES**

That the resources required for the health and safety service are kept under review and that the annual Health & Safety Service Plan be used for this purpose. (HHHCC)

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Background Papers:-

HELA Circular LAC 67/1 (rev 3); Letters from HELA dated August 2004 and September 2004.

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