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## **HEALTH AND SAFETY SERVICE PLAN (Min 620/95, 289/96, 35/02)**

### **1 SUMMARY**

- 1.1 The appended Health and Safety Service Plan is submitted to Members for approval.

### **2 INTRODUCTION**

- 2.1 In September 2001, the Health & Safety Commission (HSC) issued "Section 18 Guidance to Local Authorities", which replaced all previous enforcement guidance from HSC made under the Health & Safety at Work Act etc. 1974. It is the duty of local authorities to act in accordance with this guidance.
- 2.2 The Section 18 guidance includes a requirement to produce an annual service plan.
- 2.3 This is the first service plan and is for 2002/03. Appendices 1 – 4 referred to in the plan are not included with this report as they are corporate or national publications:-

Appendix 1 – Health & Safety Commission Enforcement Policy (copy placed in the Members' Room)

Appendix 2 – Housing, Health & Community Care Enforcement Policy

Appendix 3 – Enforcement Concordat

Appendix 4 – Corporate Plan and Best Value Plan

- 2.4 The service plan for 2003/04 will be submitted for consideration in June 2003.

### **3 HEALTH AND SAFETY SERVICE PLAN**

- 3.1 The service plan should include information on the following:
- Future objectives and major issues that cross service boundaries;
  - Key programmes, including a planned inspection programme in the context of the current HSC Strategic Plan and HELA (Health and Safety Executive and Local Authority Enforcement Liaison Committee) Strategy;
  - Information on the service that is being provided;
  - The means by which these services are going to be provided;
  - Any performance targets and how they will be achieved;

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- A review of performance to address any variance from meeting the requirements of the service plan.

- 3.2 Local authorities should consult stakeholders, including local employers and employees and their representatives. A copy of the service plan has been sent to the Chambers of Trade and Federation of Small Businesses.
- 3.3 Service plans will be reviewed as part of the inter-authority auditing process which local authorities are required to undergo at least every 5 years.

#### **4 RESOURCE IMPLICATIONS**

- 4.1 The Community Overview & Scrutiny Committee considered the resource implications for health and safety enforcement on 10 December 2002.

#### **5 LEGAL IMPLICATIONS**

- 5.1 The HSC has default powers should a local authority fail to comply with legal requirements.

#### **6 RECOMMENDATION**

- 6.1 It is proposed that the Committee **RESOLVES**
  - (1) That the Health and Safety Service Plan 2002/03 be approved.
  - (2) That a copy of the approved plan be sent to the Health & Safety Executive. (HHHCC)

Graham Woolhouse

Head of Housing, Health & Community Care

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#### **Background Papers:**

Letter from HSC dated September 2001; HSC's "Section 18 Guidance to Local Authorities".

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**HOUSING, HEALTH & COMMUNITY CARE  
HEALTH & SAFETY SERVICE PLAN 2002/2003**

**1.0 SERVICE AIMS AND OBJECTIVES.**

- 1.1 Aims and objectives.
- 1.2 Links to corporate objectives and plans

**2.0 BACKGROUND**

- 2.1 Profile of the Local Authority
- 2.2 Organisational Structure
- 2.3 The scope of the health & safety service
- 2.4 Demands on the health & safety service
- 2.5 Enforcement policy

**3.0 SERVICE DELIVERY**

- 3.1 Inspection programmes
- 3.2 Health & Safety complaints
- 3.3 Lead authority principle
- 3.4 Advice to business
- 3.5 Accident & Incident Investigation
- 3.6 Liaison
- 3.7 Health & Safety Promotion

**4.0 RESOURCES**

- 4.1 Financial Allocation
- 4.2 Staffing Allocation
- 4.3 Staff Development plan

**5.0 QUALITY ASSESSMENT**

- 5.1 Quality Assessment

**6.0 REVIEW**

- 6.1 Review against the service plan
- 6.2 Identification of any variation from the service plan
- 6.3 Areas of improvement

<b>1.0</b>	<b>SERVICE AIMS AND OBJECTIVES</b>	
<b>1.1</b>	<b>Aims and Objectives</b>	<p>The Housing, Health &amp; Community Care Service is committed to ensuring that the highest health &amp; safety standards are maintained throughout the district in premises for which they are the Enforcing Authority, in order to protect employees, the self-employed and members of the public.</p> <p>Staff will adopt an approach to enforcement which will encompass the investigation of all complaints and all serious accidents, dangerous occurrence, cases of occupational ill health in accordance with HSC/HELA objectives and priorities, as well as inspections based on risk assessment so as to make full use of staff resources allocated.</p> <p>Staff will follow the principles and guidance on health and safety enforcement contained in the Health &amp; Safety Commission's Enforcement Policy Statement (Appendix 1) which includes the criteria used to select which accidents, incidents, cases of ill health to investigate.</p> <p>Staff will act within the Department's overall enforcement policy (Appendix 2) but due regard will be had to guidance from recognised bodies. Rochford District Council has adopted the Enforcement Concordat (Appendix 3) and therefore staff will carry out activities in this service plan in accordance with the Concordat.</p> <p>Education plays an important part in improving health &amp; safety standards and therefore staff will carry out the activities in this service plan with an educative approach wherever possible.</p>



<b>1.2</b>	<b>Links to Corporate Objectives and Plans</b>	This service supports Rochford District Council Corporate Plan and Best Value Performance Plan (Appendix 3). The Council's aims are in part 7. The health & safety service is included in the Best Value Review of "Public Regulation, Inspection and Protection".
<b>2.</b>	<b>BACKGROUND</b>	
<b>2.1</b>	<b>Profile of Rochford District</b>	See Appendix 3.
2.1.1	Profile of Housing, Health & Community Care Service	See Appendix 3.
<b>2.2</b>	<b>Organisational Structure</b>	
2.2.1	Rochford District Council	See Appendix 3.
2.2.2	Housing, Health & Community Care	See service chart Appendix 4.
2.2.3	Manager Responsible for Health & Safety Service	Safety, Food & Regulation Manager.
2.2.4	Specialist Services	None.

<b>2.3</b>	<b>The Scope of the Health &amp; Safety Service</b>	
2.3.1		Establish and maintain an up to date register of all premises in the district for which the Council is the health & safety Enforcing Authority
2.3.2		Inspect all premises for which the Council is the Enforcing Authority on a risk based, rolling programme in accordance with HELA LAC 67/1 (rev2) and take enforcement action as necessary.
2.3.3		Carry out visits and inspections to premises as necessary within the plan period, including revisits and investigative visits.
2.3.4		Investigate and resolve all health & safety complaints.
2.3.5		Provide advice and assistance to businesses, employees and customers on health & safety related issues.
2.3.6		Receive and act on all notifications of accidents, dangerous occurrences and cases of occupational ill health.  The criteria for which accidents, incidents, cases of ill health to investigate contained in the Health & Safety Commission's Enforcement Policy Statement (Appendix 1) will be followed.
2.3.7		Register notifications of cooling towers and evaporative condensers.
2.3.8		Investigate reports from engineers relating to the examination of lifting gear, pressure vessels etc. and take appropriate action.

2.3.9	Facilitate health & safety training as necessary, by independent training organisations																					
2.3.10	Provide advice to the other Council Services on health & safety related issues																					
2.3.11	Facilitate health & safety promotional and educational activities, by independent organisations																					
2.3.12	Comment on proposed health & safety legislation, codes of practice, guidance and other official documents as necessary and as requested.																					
2.4	<div><div>Demands on the Health &amp; Safety Service</div><div>As at 1 April 2002 the Housing, Health &amp; Community Care Service's database was out of date and it was only possible to estimate how many premises the Council was responsible for enforcing health &amp; safety and the numbers in each risk category were unknown. Desk top risk rating has now been completed and the numbers in each risk category are as follows, totalling <b>1092</b>. Risk categories are prescribed in HELA 67/1 (rev 2) and the minimum inspection frequencies have been previously resolved by the Council.</div><table><thead><tr><th><u>Risk Category</u></th><th><u>Number of Premises</u></th><th><u>Inspection Frequency</u></th></tr></thead><tbody><tr><td>A =</td><td>94</td><td>1 Year</td></tr><tr><td><u>B1</u> =</td><td>32</td><td>2 Years</td></tr><tr><td>B2 =</td><td>140</td><td>3 Years</td></tr><tr><td>B3 =</td><td>73</td><td>4 Years</td></tr><tr><td>B4 =</td><td>607</td><td>5 Years</td></tr><tr><td>C =</td><td>146</td><td>No routine frequency but reviewed periodically</td></tr></tbody></table></div>	<u>Risk Category</u>	<u>Number of Premises</u>	<u>Inspection Frequency</u>	A =	94	1 Year	<u>B1</u> =	32	2 Years	B2 =	140	3 Years	B3 =	73	4 Years	B4 =	607	5 Years	C =	146	No routine frequency but reviewed periodically
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		The estimated number of premises types was:
		Retail shops 359
		Wholesale shops, warehouses 55
		Offices 220
		Catering, restaurants and bars 186
		Hotels, camp site, etc. 15
		Residential care homes 12
		Leisure and cultural services 66
		Consumer services 147
		Other premises (not classified above) 32
2.5	Enforcement Policy	No particular external factors that may impact on this service have been identified. There are two languages other than English identified as being significant in food businesses within the district. These are Bengali and Chinese, however the majority of proprietors of food businesses are able to speak adequate English or have somebody present at the premises that can translate. In any cases where there may be language difficulties the service would contact Essex Police (01268 775533) for details of an interpreter.
		These languages are not seen as placing a particular demand on the health & safety service.
		This service operates to a documented enforcement policy.

<b>3.</b>	<b>SERVICE DELIVERY</b>	
<b>3.1</b>	<b>Inspection Programmes</b>	
3.1.1	Update premises records	Survey of industrial estates and update computer records.
3.1.2	Desk top risk rating	Estimate the risk rating of all premises and input into computer.
3.1.3	Work programme	Analysis of results and generation of work programme for this period and future periods.
3.1.4	Inspection Form	Create an Inspection form which includes HELA priorities for inspection as detailed in LAC 40/5 and HELA "Strategic Plan 2001-2004".
3.1.5	Standard Paragraphs	Create standard paragraphs.
3.1.6	Programmed Inspections	The number of Programmed Health & Safety Inspections for the period is = <b>40</b> .
3.1.7	Carry Over Inspections	The number of Programmed Health & Safety Inspections carried over from the last financial year is = <b>0</b>
3.1.8	Total Inspections	Therefore the total number of Programmed Health & Safety Inspections for the period is = <b>40</b> . (See Appendix 4 for a breakdown)
3.1.9	Target	<p>The target percentage of inspection due is:</p> <p>High Hazard/Risk (Category A) =<b>100%</b></p> <p>Intermediate Hazard/Risk (Categories B1 - B4) =<b>100%</b></p> <p>Low Hazard/Risk (Category C) =<b>100%</b></p>

3.1.10	Visits to Food Premises	<p>Health &amp; Safety hazard spot and take appropriate action during planned food hygiene inspections.</p> <p>The estimated number of planned food hygiene inspections is =<b>354</b></p>
3.1.11	Revisits	<p>The estimated number of revisits for this plan period is = <b>30</b>.</p>
3.1.12	Special Initiative	<p>HELA guidance on "Safe Unloading of Steel Stock: Sector Initiative 2001/2003" in LAC 56/5 to be followed. All steel stock holders identified, questionnaire sent, premises visited, enforcement responsibilities determined and appropriate action taken.</p>
<b>3.2</b>	<b>Health &amp; Safety Complaints</b>	<p>All health &amp; safety complaints received including anonymous complaints are investigated in accordance with the good enforcement principle of targeting, transparency, consistency and proportionality. The estimated number for this plan period is = <b>175</b>.</p>
<b>3.3</b>	<b>Lead Authority Principle</b>	<p>There are no formal or informal Lead Authority Partnerships set up for any health &amp; safety business within Rochford District.</p>
<b>3.4</b>	<b>Advice to Business</b>	<p>Advice is provided to existing or proposed health &amp; safety businesses, members of the public, other Council Service Departments and other persons. Advice is mainly person to person whilst Officers are carrying out visits/inspections but may also be following a telephone call or letters to the Housing, Health and Community Care Service.</p> <p>Officers aim to give advice in accordance with recognised guidance and codes of practice, and a range of advisory leaflets is available.</p> <p>The estimated number for the plan period is = <b>50</b></p> <p>The Council has regular meetings with the Chamber of Trade and Federation of Small</p>

<p><b>3.5 Accident &amp; Incident Investigation</b></p>	<p>Businesses who have been consulted on the Division's enforcement policy.</p> <p>A mailshot of a range of advisory leaflets with an explanatory covering letter to be sent to all businesses.</p> <p>All notifications of reportable and non-reportable accidents, dangerous occurrences and cases of occupational ill health received are assessed in accordance with paragraphs 30, 31, 32 and 33 of the Health &amp; Safety Commission's Enforcement Policy Statement.</p> <p>HSC recognises that it is neither possible nor necessary to investigate all incidents. Site investigations will be carried out of a reportable work-related death unless there is a specific reasons for not doing so, in which case those reasons will be recorded.</p> <p>The following factors will be taken in account when determining which incidents to investigate:</p> <ul style="list-style-type: none"> <li>➤ the severity and scale of potential or actual harm;</li> <li>➤ the seriousness of any potential breach of the law;</li> <li>➤ knowledge of the duty holder's past health &amp; safety performance;</li> <li>➤ the enforcement priorities;</li> <li>➤ the practicality of achieving results;</li> <li>➤ the wider relevance of the incident, including serious public concern.</li> </ul> <p>The estimated number of notifications for the plan period is = <b>50</b></p> <p>The estimated number of investigations for the plan period is = <b>10</b></p>
<p><b>3.6 Liaison</b></p>	<p>A number of arrangements have been made to improve the consistency of enforcement with neighbouring Authorities.</p>

<p><b>3.7 Health &amp; Safety Promotion</b></p>	<ul style="list-style-type: none"> <li>- This service actively supports the Essex Chief Environmental Health Officer's Health &amp; Safety Group.</li> </ul> <p>The service also advises and liaises with other services within Rochford District Council, including: Building Control, Planning, Environmental Protection Team, Contract Services.</p> <p>The service is consulted on planning applications involving business premises.</p> <p>The local press and the Council's Health &amp; Safety Officer were provided details of this year's European Week for Safety and Health which focused on work-related stress.</p> <p>A mailshot of a range of advisory leaflets with an explanatory covering letter to be sent to all businesses.</p>
<p><b>4.0 RESOURCES</b></p> <p><b>4.1 Financial Allocation</b></p>	<p>The overall budget for the Environmental Health Service is <b>£748,500</b>. From this amount the health &amp; safety service is not currently allocated a specific amount.</p> <p>It is therefore not possible to determine whether there is an increase or decrease in real terms on the last financial year allocation for the health &amp; safety service.</p> <p>Details of the budget for salaries, travel, subsistence, consultancy, analytical fees are contained in Rochford District Councils Budget Book 2002/2003.</p>



<p><b>4.2 Staffing Allocation</b></p>	<p>No budget is separately allocated for prosecutions or legal action taken as a result of action under this service, but are provided for within the Legal Service's budget.</p> <p>The staff available for this period is</p> <ul style="list-style-type: none"> <li><b>1</b> Safety Food and Regulation Manager</li> <li><b>0</b> Principal EHO (1 Vacancy)</li> <li><b>1</b> Food Contractor</li> <li><b>2</b> Senior EHOs</li> <li><b>1</b> District EHO</li> <li><b>1</b> Part-time Senior EHO</li> <li><b>2</b> Environmental Health Assistants.</li> <li><b>3</b> Administrative staff</li> </ul> <p>This staffing allocation is not solely for this service plan. These officers also carry out the Food Safety, Animal Welfare Licensing, Outbreak Control and Infectious Disease, Public Entertainment licensing and Control of Trading Licensing duties. The administrative staff also support the entire Housing, Health and Community Care Service.</p> <p>It is estimated that the above staffing levels will provide sufficient resources to carry out the service delivery outlined in 3.0 .</p> <p>It is estimated that <b>2.5</b> full time equivalents work on health &amp; safety.</p>
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<p><b>4.3 Staff Development Plan</b></p>	<p>This service supports the Corporate Plan for Rochford District Council. The staff covering this service will continue to be encouraged, motivated and trained to develop their potential and use their talents for the benefit of the people of the district.</p> <p>This service identifies training and development needs by an annual performance and development review of all staff.</p> <p>The training budget is allocated primarily to those staff in the whole service that are identified as requiring further training to develop their professional and technical skills for the job that they are required to carry out.</p> <p>Budget provision is also available for minor, short ad hoc training courses that become available.</p> <p>For this plan period, the following training needs have been identified:</p> <ul style="list-style-type: none"> <li>➤ SEHO (Health &amp; Safety) and District EHO (Health &amp; Safety) to undertake 2 year post graduate diploma course in health and safety.</li> <li>➤ Short ad hoc courses when they become available</li> </ul> <p>Cascade training is provided by the officer attending an external training course to other officers in the service.</p> <p>Training to be undertaken using HSE training videos and peer discussion.</p> <p>Self-assessment training to be undertaken using HSE internet training facilities.</p> <p>Periodic meetings are organised to discuss matters and issues of consistency arising under this service plan area.</p>
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	<p>Minutes of the Essex Chief Environmental Health Officers Health &amp; Safety Group are circulated to officers in the Safety, Food &amp; Regulation Team.</p> <p>The Housing, Health &amp; Community Care service and the Council supports Environmental Health Officers that wish to obtain corporate membership of the C.I.E.H by taking the Assessment of Professional Competence (APC).</p> <p>All Environmental Health Officers that are members of the C.I.E.H. are required to undergo at least 20 hours of Continuous Professional Development (CPD) per year. Whilst officers are responsible for monitoring the amount they have done in a year the service recognises this need and supports staff in achieving the minimum amount required by the CPD scheme. In house training may be organised throughout the year by individuals.</p> <p>Every officer authorised to carry out health &amp; safety inspections and enforcement will receive structured on-going training, which may take the form of in house training, formal visits or vocational visits. The minimum ongoing/update training is 10 hours per year and is recorded.</p> <p>Officers who have not enforced health &amp; safety law for some time are put through structured revised training before resuming health &amp; safety law enforcement duties. The minimum revision training is 15 hours and is recorded.</p> <p>Officers returning to health &amp; safety law enforcement duties after an absence of more than 3 years are monitored by a more senior officer experienced in health &amp; safety law enforcement for a minimum period of 3 months.</p> <p>Before new officers undertake health &amp; safety law enforcement duties independently, they are supervised and monitored by a more senior officer experienced in health &amp; safety law enforcement for up to 6 months.</p>
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<b>5.0 QUALITY ASSESSMENT</b>	<p>This service is part of the "Best Value" Review of public regulation, inspection and protection during this period. The following peer reviews are carried out:</p> <p><u>Staff - Health &amp; Safety EHOs</u></p> <ul style="list-style-type: none"> <li>➤ A full audit using the Section's "Management Quality Audit Form" is carried out on 5% of all high risk inspections. This involves a desk-top check and a visit. It is estimated that the Health &amp; Safety EHOs will carry out about 20 high risk inspections each per year. Therefore, 1 audit to be carried out each for the period.</li> <li>➤ A full audit using the Section's "Management Quality Audit Form" to be carried out on 5 complaints/enquiries received each per year.</li> </ul> <p><u>Staff - Health &amp; Safety EHA</u></p> <ul style="list-style-type: none"> <li>➤ A full audit using the Section's "Management Quality Audit Form" is carried out on 5% of all low risk inspections. This involves a desk-top check and a visit It is estimated that the Health &amp; Safety EHA will carry out about 50 low risk inspections per year. Therefore, 2 audits to be carried out for the period.</li> <li>➤ A full audit using the Section's "Management Quality Audit Form" is carried out on 5 complaints/enquiries received per year.</li> </ul> <p>An audit by the Health &amp; Safety Commission was carried out in March 2002. The next audit, either by another Council or a contractor, is due in 2007 and will follow HELA 23/19.</p>
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<b>6.0</b>	<b>REVIEW</b>	
<b>6.1</b>	<b>Review against the service plan</b>	<p>An annual review against the service plan is carried out.</p> <p>In addition, performance is monitored monthly and a quarterly report is submitted to Members.</p> <p>The review below is for the plan period financial year 2001-2002.</p>
6.1.1	Programmed Inspections	<p>The target number of inspections for the last plan period was:</p> <ul style="list-style-type: none"> <li>➤ High hazard/risk premises (category A) = <b>0</b></li> <li>➤ Intermediate Hazard/Risk premises (categories B1-B4) = <b>0</b></li> <li>➤ Low hazard/risk premises (category C) = <b>0</b>.</li> </ul> <p>The actual number achieved was <b>1, 0 and 0</b> respectively.</p>
6.1.2	Revisits	The number of revisits carried out were <b>48 (estimate-no target set)</b> .
6.1.3	Visits to food premises	<p>Health &amp; Safety hazard spotting was carried out during every planned food inspection.</p> <p>The number of planned food inspections carried out was <b>421 (estimate 434)</b></p>
6.1.4	Service Request	The number of service requests (health & safety complaints and advice to businesses) received was <b>195 (estimate 200)</b> .

6.1.5 Accident & Incident Investigation	The total number of notifications received was <b>33 (estimate 30)</b> .
	The number of investigations carried out was <b>7 (estimate no target set)</b>
6.1.6 Notices	The following number of 'notices' were issued
	<ul style="list-style-type: none"> <li>➤ informal written warning letters: <b>53</b></li> <li>➤ Improvement Notices served : <b>7</b></li> <li>➤ Deferred Prohibition Notices served : <b>0</b></li> <li>➤ Immediate Prohibition Notices served: <b>1</b></li> </ul>
6.1.7 Formal Cautions	The number of formal cautions given was <b>0</b>
6.1.8 Prosecutions	The number of prosecutions was <b>0</b>
6.2 Identification of any variation from the service plan	<p>This is the first service plan</p> <p>The number of programmed health &amp; safety inspections carried out has been very low because of staff shortages over at least the past 11 years.</p> <p>Apart from several months during 2002/03, a Principal EHO post has been vacant since July 1998. In addition, over the past 11 years it has taken a long time to refill vacated EHO posts.</p> <p>Based on existing staffing levels, work responsibilities and the number of premises the Council is currently the enforcing authority for, it is estimated that it will take at least 6 years to complete the inspection programme. If the vacant Principal EHO post is filled quickly, this can be reduced to 5 years.</p>

<p><b>6.3 Areas of improvement</b></p>	<p>1. The staffing complement needs to be maintained to enable adequate resources to be directed to health &amp; safety enforcement activities</p> <p><u>Action</u> Ensure that vacancies are filled promptly.</p> <p>2. Benchmarking of enforcement activity levels with other Essex authorities needs to be undertaken.</p> <p><u>Action</u> Benchmarking exercise will be carried out during 2003/04.</p> <p>3. Health &amp; Safety educational/promotional/advisory activities needs to be developed.</p> <p><u>Action</u> 1 seminar for local businesses on HSC priority themes will be carried out during July/August 2003.</p> <p>4. A customer satisfaction policy and procedure, including a questionnaire, needs to be developed.</p> <p><u>Action</u> A customer satisfaction scheme will be developed and implemented by April 2004.</p> <p>5. Health &amp; safety information needs to be provided electronically.</p> <p><u>Action</u> Health &amp; safety information will be available on the Council's website by April 2004.</p> <p>6. Input to business partnerships or forums needs to be developed.</p> <p><u>Action</u> Input to business partnerships and forums will be developed by April 2004.</p>
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**PROGRAMMED HEALTH & SAFETY INSPECTIONS**

**1.04.02 TO 31.03.03**

<u>Risk Category</u>	<u>Number of Inspections</u>
A	40
B1	0
B2	0
B3	0
B4	0
C	0