

Health and Safety Service Plan 2019/20

Summary

All Local Authorities are required to 'make arrangements for enforcement' under section 18 of the Health and Safety At Work Etc Act 1974. The National Local Authority Enforcement Code (National Code) sets out the adequate arrangements for enforcement and this Health and Safety Service Plan describes how Surrey Heath Borough Council ensures that national priorities and standards are addressed and delivered locally. It is felt appropriate that this plan is submitted to the relevant member forum for approval to ensure local transparency and accountability. This report presents the Health and Safety Service Plan for 2019/20.

Wards Affected: All

Recommendation

The Licensing Committee is advised to resolve that the Health and Safety Service Plan 2019/20 attached at Annex A to this report be approved.

1. Resource Implications

- 1.1 There are no additional resource implications arising from this report.
- 1.2 The Council employs 1.3 FTE officers to enforce health and safety in approximately 1500 local businesses.

2. Key Issues

- 2.1 The Health and Safety At Work Etc Act 1974 requires all local authorities to have adequate arrangements in place for the enforcement of health and safety. The National Code is mandatory and requires local authorities to focus on delivering proportionate and targeted enforcement using a full range of regulatory interventions.
- 2.2 The draft Health and Safety Service Plan 2019/20 is attached at Annex A.
- 2.3 The headlines are as follows:
 - a. Resources are targeted on those businesses carrying out activities which give rise to the most serious risk and are known to be least well controlled. Enforcement is concentrated on businesses most likely to cause working days lost and public injury, ill health or sickness absence and / or where dutyholders seek economic gain or advantage from non-compliance. Limited resources are therefore targeted to maximise the greatest impact in improving health and safety within the Borough.

- b. Officers carried out a total of 320 health and safety interventions during 2018/19. Interventions include inspections, investigations, revisits, telephone calls and advice. All interventions completed were of the correct standard and quality.
- c. During 2018/19 officers carried out 21 reactive interventions as a result of complaints made, and 38 accident investigations.
- d. We continue to support two of our six Primary Authority Partnerships (PAPs) with health and safety advice and support; Exclusive Hotels, the owners of Pennyhill Hotel & Spa; and Manning Impex Ltd which is a food importer. The PAP scheme entitles businesses or organisations which operate across local authority boundaries to ask for a Partnership with a Local Authority (LA). Those businesses are expected to work closely with the LA to ensure they comply with the Regulations that apply to them. This is expected to lead to greater compliance by the business, but also greater consistency and co-ordination of regulatory enforcement by LAs.

2.4 In 2019/20 the Council intends to continue to provide an excellent health and safety service to ensure that businesses are safe and healthy for their employees and residents, or visitors, to the Borough who are their customers. This will include advising new and existing businesses on compliance, investigating complaints and accidents, taking enforcement action where necessary and participating in proactive health and safety campaigns where local concerns arise or as part of a project undertaken by the Surrey Health and Safety Study Group.

2.5 Officers continue to regulate health and safety standards consistently and in accordance with the Council's Enforcement Policy.

3. Options

3.1 The options are to approve or to amend the attached Health and Safety Service Plan for 2019/20.

4. Proposals

4.1 The proposal is for the Licensing Committee to approve the attached Health and Safety Service Plan for 2019/20.

5. Corporate Objectives And Key Priorities

5.1 The health and safety service helps meet the following Corporate Objectives in the Council's Five Year Strategy:

Place – continued focus on our vision to make Surrey Heath an even better place to live. Clean, green and safe. Where people enjoy and contribute to a high quality of life and a sustainable future.

Prosperity – to sustain and promote our local economy so people can work and do business across Surrey Heath, promoting an open for business approach that attracts investment and complements our place.

People – to build and encourage communities where people can live happily and healthily in an environment that the Community is proud to be part of.

Performance – to deliver effective and efficient services better and faster.

6. Legal Issues

- 6.1 In the United Kingdom Health and Safety Law is enforced by officers employed by local authorities and the Health and Safety Executive (HSE). The Health and Safety (Enforcing Authority) Regulations 1998 sets out which business activities are enforced by the HSE (for example, factories, hospitals and schools etc) and which are enforced by local authorities (for example, shops, offices and leisure/service sector etc). The Health and Safety At Work Etc Act 1974 specifies authorisation requirements for officers and general requirements for dutyholders. This Act is an umbrella for a variety of specific Regulations and Mandatory Guidance.
- 6.2 The HSE's Local Authority Unit (LAU) requires all Local Authorities to complete an annual return providing data on all the enforcement activity carried out (the LAE1 Return) and a separate return on all prosecution activity. The LAU monitor returns data to ensure that all local authorities have adequate arrangements in place in accordance with s18 of the Health and Safety At Work Etc Act 1974, and are carrying out their enforcement duties in relation to health and safety at work.

7. Risk Management

- 7.1 Whilst there is no specific legal requirement to obtain approval of the Health and Safety Service Plan, it does allow us to evidence compliance with s18 of the Health and Safety At Work Etc Act 1974 and ensures local transparency and accountability. Failure of the Authority to have an approved Health and Safety Service Plan could result in criticism and could have a detrimental effect on the reputation of the Council.

Annexes	Annex A – Health and Safety Service Plan 2019/20
Background Papers	None
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Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	✓
Capital		
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	✓
Policy Framework		
Legal	✓	✓
Governance		
Sustainability		
Risk Management	✓	✓
Equalities Impact Assessment	✓	✓
Community Safety		
Human Rights		
Consultation		
P R & Marketing		