

Health and Safety Service Plan 2020/21

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 2020/21 and highlights the impact of the COVID-19 pandemic on the work of the health and safety service.

Wards Affected: All

Recommendation

The Licensing Committee is advised to resolve that the Health and Safety Service Plan 2020/21 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 2020/21 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 duty holders 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 412 health and safety interventions during 2019/20. Interventions include inspections, investigations, revisits, telephone calls and advice. All interventions completed were of the correct standard and quality.
 - c. During 2019/20 officers carried out 28 reactive interventions as a result of complaints made, and 43 accident investigations.
 - d. We continue to support two 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 2020/21 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.
- 2.6 The impact of the COVID-19 pandemic on the health and safety work programme is highlighted and it is acknowledged that this Service Plan will need to be kept under review

3. Options

- 3.1 The options are to approve or to amend the attached Health and Safety Service Plan for 2020/21.

4. Proposals

- 4.1 The proposal is for the Licensing Committee to approve the attached Health and Safety Service Plan for 2020/21.

5. Corporate Objectives And Key Priorities

- 5.1 The Health and Safety Service Plan sets out how the Council will deliver the service in accordance with the national priorities and required standards and Corporate priorities set out in the Council's Annual Plan 2020/21.

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 duty holders. 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 2020/21
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		