

**LICENSING AND SAFETY COMMITTEE**  
**1 JULY 2010**

---

**HEALTH AND SAFETY LAW ENFORCEMENT PLAN 2010-2011**  
**Director of Environment, Culture and Communities**

**1 INTRODUCTION**

- 1.1 The Council is required by Section 18 of the Health and Safety at Work etc Act 1974 to ensure that national priorities and standards are delivered effectively and consistently at a local level.
- 1.2 A Health and Safety Law Enforcement Plan for 2010-2011 reflects this requirement and identifies where and how resources are to be deployed in the current year. Also included, as part of the Plan, is last year's outturn report.
- 1.3 The Committee is asked to consider the Plan attached as Appendix A in the document. Members will recall commenting on the draft Enforcement Plan at the Committee Meeting of 2 February 2010. The purpose of this report is to finalise the plan prior to adoption.

**2 RECOMMENDATIONS**

**That the Committee:**

- (a) notes the performance outturn report as set out in Appendix A, and**
- (b) agrees the adoption of the Health and Safety Law Enforcement Plan for 2010-2011 as set out in Appendix B, noting the particular focus on topic inspections and the inspection strategies for high risk businesses to ensure our resources are appropriately targeted.**

**3 REASONS FOR RECOMMENDATION**

- 3.1 The Plan sets out how the Council will seek to work with business as they seek to comply with health and safety requirements, in line with direction from the Health and Safety Commission. Appendix B sets out the proposed work plan for 2010 - 2011.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The production of an annual plan is a legal requirement.

**5 SUPPORTING INFORMATION**

- 5.1 Matters relating to overall management and delivery of health and safety management at a national level fall to the Health and Safety Executive. There are effectively two main delivery/regulatory arms; namely the Health and Safety Executive and the Local Authorities. Within Bracknell Forest, enforcement with premises is predominately a function of Environmental Health. Trading Standards have a small role in relation to workplace product safety matters and the licensing officers have authority to do some inspection work in low risk premises.

- 5.2 There are currently 1350 local businesses where that Council has the statutory responsibility for Health and Safety at Work matters. The number of businesses registered with the Council fluctuates as business open and close and tracking such movement is problematic. Premises are visited according to a national risk rating system. Many of the businesses are low risk because of the nature of their activity and therefore are not subject to routine inspection. In such cases alternative strategies are used such as the use of self-assessment questionnaires, newsletters, mail shots and seminars. Such information enables the businesses to self regulate and call on guidance as and when required. The remaining premises are subject to a formal programme of inspection. Appendix 2 shows the breakdown for the current year based on the risk assessment.
- 5.3 The Council has signed a Statement of Intent with the Health and Safety Executive committing to working in closer partnership so as to further national, regional and local priorities. The intention is to ease the burden of regulation on business and to revitalise health and safety in the Borough. The Plan reflects that arrangement which is in line with national priorities. As a consequence a portfolio of joint working has been agreed with the HSE based around national priority areas. This programme of targeted health and safety activity is detailed in Appendix A and involves partnership working with the health and Safety Executive and local businesses to create "added value."
- 5.4 The Enforcement Plan once approved is made public and feedback is invited. Any feedback received is then used to inform the plan for next year. The plan is published on the Borough's website and copies are sent to key locations in the Borough including the Council's libraries and town and parish Council offices. No representations were made in relation to the previous plan during 2010-2011, or on the drafted plan made public in January.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 The Borough Solicitor is satisfied that the relevant legal provisions are contained within the body of the report.

### Borough Treasurer

- 6.2 The Borough Treasurer is satisfied that no significant financial implications arise from this report.

### Equalities Impact Assessment

- 6.3 The plan targets premises based on the history of risk and identified need. Where issues of equality may arise, then special provision is made to help as may be necessary. An initial equalities impact assessment is attached in Appendix C. The activity is regulatory and the equality impact assessment was covered by the overarching document entitled Enforcement Policy 2008 which was reported to the Executive on 18 November 2008.

## Strategic Risk Management Issues

- 6.4 The Council is liable to inspection to ensure compliance with section 18 of the Health and Safety at Work Act etc 1974. This Plan sets out how the Council intends to comply with those obligations and in so doing so mitigate against the risk of an adverse inspection report followed by possible intervention and surcharge.

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.1 The nature of the Plan is such that we have consultation with stakeholders after its adoption. All feedback is taken into account and helps inform the Plans future development.

### Method of Consultation

- 7.2 The plan will be published on the council's website and issued to key locations in the borough, including all the Councils libraries and Town and Parish council offices.

### Representations Received

- 7.3 None

## Background Papers

- 1 A Strategy for Workplace Health and Safety in Great Britain to 2010 and Beyond (Securing Health Together – SH"), (HSE 2004)
- 2 Health and Safety in Local Authority Enforced Sectors, Section 18. HSC Guidance to Local Authorities (09/01)
- 3 HELA Circular Number 67/2. Advice/guidance to Local Authorities on priority plans (03/2010)
- 4 Health and Safety Law Enforcement Plan 2009-2010
- 5 National enforcement for priorities for local authority services (Peter Rogers 2007)
- 6 Reducing administrative burdens: effective inspection and enforcement (Philip Hampton, March 2005)

## Contact for further information

David Steeds, Head of Environment Health – 01344 352530

[david.steeds@bracknell-forest.gov.uk](mailto:david.steeds@bracknell-forest.gov.uk)

## Doc Ref

G:\Secs1\WinwordM\L&S Ctte\2009\Jul\health and safety law enforcement plan 2009-2010\22.6.09(2)



**HEALTH AND SAFETY ENFORCEMENT  
PLAN 2010-2011**

**(inc 2009 – 2010 OUTTURN)**

**Environment, Culture and Communities Department  
Bracknell Forest Council  
Time Square  
Market Street  
Bracknell  
RG12 9JD**

**Tel: 01344 352000**

**Fax: 01344 351141**

**Email: [environmental.health@bracknell-forest.gov.uk](mailto:environmental.health@bracknell-forest.gov.uk)**

## PART 1 - INTRODUCTION TO THE PLAN

This Plan sets out details of:

- the work we have completed in the previous year as this influences the way forward
- what we plan to do this year and
- how we intend to do it

Our key priorities when it comes to workplace safety are to work with business to:

- protect people from unsafe working conditions and practices
- work with and support local businesses to help them improve their business
- work towards reducing the incidents of accidents and work-related ill health
- encourage awareness of health and safety issues within business generally
- provide a quality service

The Council is responsible for ensuring through enforcement of legislation for the health and safety of those employed locally and the public who may as a result of business activity be harmed. The duty and powers of the Council are set out in the Health & Safety at Work etc Act 1974 and associated Regulations; this plan is produced as part of our responsibilities under Section 18 of the Act.

The Local Authority Unit (LAU) of the Health and Safety Executive has given guidance on the interpretation and implementation of Section 18 of the Health and Safety at Work etc Act 1974. Section 18 details what the Local Authority should have in place to ensure local compliance with health and safety in the Borough. The standard details areas such as service planning, the officer capacity required to enforce in the Borough and the competency of those officers. Compliance is tested through annual self-assessment to the LAU and peer review every 3 years leading where needed to an improvement plan to be overseen by County groups, Regional group and HELA (HSE and LA Liaison Group). Such assessments have yet to commence. Possible risks to compliance with expectation are resource related. Staff numbers and officer skill shortages are hard to mitigate for in the current climate. Where needed resources are redeployed with the overall service to ensure continued priority is given to greatest need. Staff performance and training needs are constantly evaluated.

The Council has responsibilities in respect of **1350** premises in the Borough including offices, shops, warehouses, builders' merchants and services such as hairdressers as shown in the table below:

Type of Premises	Number of Premises
Retail shops	282
Wholesale shops, warehouses and fuel storage depots	36
Offices	410
Catering, restaurants and bars	219
Hotels, camp sites and other short stay accommodation	15
Residential care homes	49
Leisure and cultural services	92
Consumer services	238
Other premises	9
<b>Total</b>	<b>1350</b>

## **National Picture for health and safety**

The 2005 'Hampton report' sought to reduce the burden on business through unnecessary regulation and to work towards improving the vision of a regulatory system that is based around risk and proportionality. In 2007, a national review of priorities included the need for improving health in the workplace.

The Regulatory Enforcement and Sanctions Act 2008 is an important step forward in delivering this vision. The Act introduced the Primary Authority Principle, placing a particular responsibility upon local authorities to provide information, advice and support to local businesses that operate in more than one local authority area. We provide for such help but as yet we have not set up any formal arrangements. We explored doing so with one National business as part of the pilot but both parties agreed that such an arrangement was in itself a needless layer of bureaucracy. This might not be so with all businesses.

The Better Regulation Executive (BRE) is part of the Department for Business, Enterprise and Regulatory Reform (BERR) and leads on regulatory reform agenda. Working with and through others, their aims are:

- to work with departments and regulators to simplify and modernise existing regulations, and
- to work with regulators (including local authorities) and departments to change attitudes and approaches to regulation to become more risk-based.

The inspection of businesses in Bracknell Forest is already based upon risk as we carry out inspections in line with the national targets set by HSE.

Work will be carried out throughout the year to ensure that the team is complying with the Regulatory Enforcement & Sanctions Act 2008 and the Better Regulation Executive requirements.

## **Roles**

Officers within the environmental health function deal with the main aspects of workplace safety related matters and undertake programmed risk based inspections, reactive inspections, investigating reports of accidents/ill-health under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations). They also provide educational and promotional materials and information to raise the public profile of workplace health and safety, and coordination of enforcement activities within the Berkshire area. The team has responsibility for enforcement of the smoke-free legislation brought in by the Health Act 2006 and food safety legislation. Licensing officers undertake some premises inspections according to their skill set in low risk premises. Trading Standards staff have a limited role related mainly to matters of the safety of new work-related equipment.

All officers are authorised to carry out work according to qualification and competence. The aim is to focus resources on the areas where research suggests we will have the greatest impact in terms of reducing work-related injury and ill health.

Across the Environment and Public Protection Division on average approximately 2.4 FTE's time is spent on health and safety matters a year.

## Sensible Risk Management

As part of our ongoing health and safety work we propose to support a national campaign called 'principles of sensible risk management.' It is being run by the Health and Safety Executive to tackle the problem of health and safety myths which are undermining important health and safety messages. Often such myths results in an unnecessary burden on business in the mistaken believe that "it's what is required."

Our work is varied, for example during 2009/10 we:

- inspected **134** businesses and carried out **121** other related visits
- responded to **236** complaints and enquiries
- investigated **167** accidents notifications
- issued formal notifications on how businesses can comply to **62** businesses

This is further detailed in Appendix A.

From 2006/07, following advice from the HSE, the emphasis changed from full inspections of premises on a risk based inspection programme to participation in national campaigns (Fit 3 project work). We have restricted full inspections to those representing the highest risk (as determined by officers following national guidance after inspection) and in accordance with the Hampton Review, i.e. targeting those premises who represent the highest risk. Therefore regular full inspections are carried out only of our A and B1 category premises.

The original Fit 3 project has been renamed as "National Priority Areas" and its aim remains to deliver a joint portfolio of national priorities between HSE and Local Authorities. This programme identifies areas of work where intelligence suggests that interventions are required to achieve a reduction in working days lost, fatal and major injuries and work related ill health. Based on statistics for injury data 2009/10 for Berkshire, there were 2 fatal injuries, 111 major injuries, 317 over 3 day injuries to employees and 399 injuries to members of the public. These 829 accidents in Berkshire can be detailed by type:

Workplace transport	8
Slips and trips	316
Falls from height	117
Workplace violence	20

In 2010/11 we plan to:

- inspect all high-risk businesses
- focus our work on priority topics identified by the HSE and carry out **208** topic-based inspections
- organise one major seminar to support businesses
- publish and distribute one specialist health and safety newsletter
- develop further our partnership working with the Health & Safety Executive with joint warranting.

We will base this work on:

- inspecting premises on the basis of risk and priority topic
- respond to all enquiries and accident notifications within 2 days and in serious cases respond on the same day
- providing specialist advice, information and training to businesses
- consulting our customers and seeking feedback on the quality of our service.

Table 1 shows targeted or programmed inspections for the higher risk premises: A, B1 and B2. All new premises will be subject to “alternative intervention strategies” rather than inspections. This will include postal questionnaires, seminars and the issue of specific publicity material.

	<b>A</b>	<b>B1/B2</b>	<b>B3/B4</b>
Targeted 2006/2007	7	45	51
Targeted 2007/2008	5	48	58
Targeted 2008/2009	9	44	108
			<b>Fit3</b>
Targeted 2009/2010	6	27	161
Targeted 2010/2011	3	28	208

Where the premises are to be visited for other statutory inspection purposes, both visits will if possible be combined.

A further **208** topic led inspections will be made to premises based on the suitability of project intervention. These include industrial premises in respect of manual handling and workplace transport initiatives; leisure premises for controls of legionella and reductions in slipping and falling related injuries; and disease reduction at hairdressers, florists, nail bars, and sun bed providers. Details of these are attached in Appendix B. In a typical year some low risk premises are likely to be brought back into the formal inspection process following complaints and accident investigations.

In addition there remain approximately 1,000 C-rated or unrated premises in the area. Although these are of insufficient risk to be included in the inspection cycle, they have previously been targeted with questionnaires to check their status and awareness in relation to health and safety and will continue to be approached in that manner. All new premises will be brought into the inspection cycle based on the risks presented by their activities.

## **PART 2 – DELIVERING THE PLAN**

### **Our Vision**

The Health and Safety Enforcement Plan is designed to work within the Bracknell Forest Community Plan to help deliver the Council’s priorities. The Council’s vision is:

**“To make Bracknell Forest a place where people can thrive: living, learning and working in a clean, safe and healthy environment”**

The Medium Term Objectives 2010 -2011 adopted by Bracknell Forest Borough Council that encompasses our health and safety work is contained within Priority Five: Value for money MTO10 to be accountable and provide excellent value for money.



The Plan aims to ensure a graduated approach based on risk. It reaffirms our commitment to carry out our duties in an open, fair and consistent manner that promotes economic development.

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate. We aim to ensure that employers minimise the risks of accident, injury and ill health to their employees and customers, and address employee welfare issues. This is achieved by monitoring employers' health and safety management arrangements through risk-based inspections and topic campaigns along with appropriate and timely action in response to non-compliance with relevant legislation, and through liaison and awareness campaigns with employers and employees to provide advice in relation to good practice and legal compliance. Such practices will help to facilitate businesses with an equal opportunity in the market place and an opportunity for fair trading.

This Health and Safety Law Enforcement Plan sets out the actions we are taking to promote health and safety for the benefit of residents, employees and businesses that operate in our Borough.

## **STRIVING FOR EXCELLENCE**

### **Areas for Development**

We are always striving to move the service forward. In order to achieve this, we set targets and identify areas for development during the coming year. Appendix B details targets from our Action Plan for 2010-2011 along with proposed timescales.

### **Customer Feedback and Quality Monitoring**

Procedures are in place to scrutinise all the work that is undertaken by the officers. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We have also been evaluating our performance by asking our customers to complete a "Business Satisfaction Survey" following inspections.

We have begun to roll out an in-house competency assessment for Officers in accordance with the criteria set out in the **Section 18 Guidance** issued by the **HSE Local Authority Enforcement Liaison Committee (HELA)**. Section 18 of the Health and Safety at Work Act 1974 makes it mandatory for the Council to employ competent Health and Safety Enforcement Officers and to ensure that these officers are trained and this training is maintained. A new Section 18 standard has been developed which all Councils have to comply with by 2010. Part of this standard is a review of training needs of officers which takes the form of a web based assessment of training and the production of a personal development plan.

### **Benchmarking**

An inter-authority audit of the health and safety enforcement service is planned to take place by March 2011 to demonstrate compliance with Section 18 Standard. Currently we are utilising tool kits developed to ensure the Local Authority can demonstrate compliance by the required deadline.

## **Staff Development**

The council aims to make full use of the skills that exist in the Sections and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers. All staff are subject to a formal appraisal each year with interim review meetings. Part of this appraisal process is the development of a training needs analysis for staff. Once identified a matrix of the training needs of the team of compiled. 'Continuing Professional Development' (CPD) training is provided for all staff that need it to maintain their level of competence. A list of training received by officers in the previous year is set out in the outturn report.

## **Working in Partnership with Others**

### **1 Health and Safety Executive**

The Council has signed a 'Statement of Intent' as part of the Local Authorities and HSE Working Together Strategic Programme confirming the Council's commitment to working in closer partnership with the HSE to tackle national, regional and local priorities in a more effective and focused manner. The Council has also signed a flexible warranting scheme with the HSE which broadens the authorisation of both HSE and Local Authority officers.

Our activities for 2010/2011 (detailed in Appendix B) are planned around the HSE's delivery portfolio which follows on from 'Revitalising Health and Safety'. The portfolio is a series of targeted interventions based on analysis of injury and ill health generated from known hazards at work. It aims to reduce injury and days lost from ill health and accidents.

The Shattered Lives campaign targets those most at risk of a slip, trip or fall at work with the aim to raise awareness of the risk and help those involved to take simple action that will prevent slips, trips and falls.

### **2 Smoke Free Bracknell Forest Partnership**

A comprehensive ban on smoking in all enclosed public places and workplaces, including vehicles, came into effect on 1 July 2007.

Through the Smokefree Berkshire partnership we have continued to work with NHS Berkshire East, Slough Borough Council and the Royal Borough of Windsor and Maidenhead to raise awareness of smokefree legislation and smoking cessation services to companies in East Berkshire.

## **PART 3 – FURTHER INFORMATION**

If you would like further information about the service that the Environment and Public Protection Division does in relation to Health and Safety or would like to speak to an officer for advice, please contact us:

Environment, Culture & Communities Department  
Bracknell Forest Council  
Time Square  
Market Street  
Bracknell  
RG12 1JD

Tel: 01344 352000

Fax: 01344 351141

Email: [customer.services@bracknell-forest.gov.uk](mailto:customer.services@bracknell-forest.gov.uk)

Or look on our website at: [www.bracknell-forest.gov.uk/environment.htm](http://www.bracknell-forest.gov.uk/environment.htm)

### **Availability of Officers**

Officers can be contacted through our Customer Service Centre which is open from 8.30am to 5.00pm Monday to Friday

### **USEFUL CONTACTS AND WEBSITES**

[www.hse.gov.uk](http://www.hse.gov.uk) - The Health and Safety Executive website, which has an enormous amount of invaluable information on health and safety. The local HSE office is at:

Priestley House  
Priestley Road  
Basingstoke  
RG24 9NW  
Tel: 01256 404000  
Fax: 01256 404100

The HSE also has an **'Infoline'** on 0845 345 0055.

[www.hse.gov.uk/lau](http://www.hse.gov.uk/lau) - The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) ensures that the health and safety legislation is enforced consistently.

[www.riddor.gov.uk](http://www.riddor.gov.uk) - for a full list of reportable major injuries, diseases and dangerous occurrences and when and how they must be reported.

[www.berkshirehealthandsafety.co.uk](http://www.berkshirehealthandsafety.co.uk) - useful fact sheets on health and safety maintained by the Berkshire Health & Safety Liaison Group.

[www.workplacehealthconnect.co.uk](http://www.workplacehealthconnect.co.uk) - free practical advice on workplace health and safety designed to help SMEs, that is Small and Medium Enterprises.

Advice line: 0845 609 6006

## APPENDIX A

### HEALTH & SAFETY ENFORCEMENT OUTTURN 2009/10

#### HOW DID WE PERFORM?

Our Health & Safety Law Enforcement Plan is reviewed on an annual basis. This process provides the opportunity to record achievements and identify the key areas for improvement over the forthcoming year.

#### Inspections and other interventions

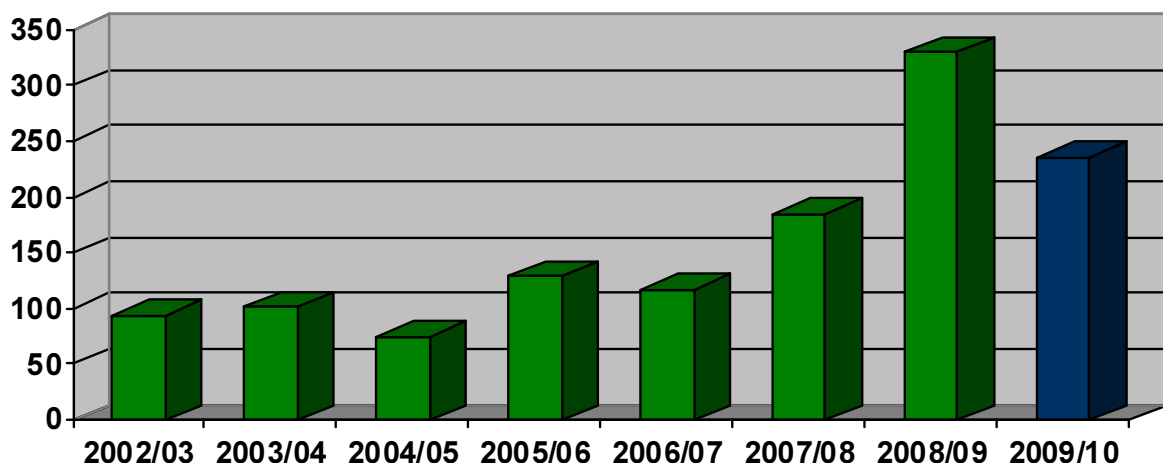
In 2009/10 officers carried out a total of 255 health and safety inspections and visits:

- 35 of these were programmed inspections and 99 of these were topic-focused
- 18 were advisory visits
- 25 were revisits to follow up on issues of non-compliance
- The remaining 51 visits were made in response to complaints from members of the public

#### Health and Safety Complaints and Enquiries

During the year there were 236 complaints as shown below, regarding working conditions and practices. We aim to respond to all such enquiries within 2 working days, but if it is judged that the situation is serious then our response will be the same day. Some examples of the complaints we have dealt with are:

- Poor working conditions including lighting, seating, temperature
- Working practices
- Employment of young persons
- Fork lift truck operation
- Trip/slip hazards



## Accident Investigation

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 place a legal duty on employers, the self-employed and those in control of premises to notify and report some work-related accidents, diseases and dangerous occurrences. Most notifications are reported to the national Incident Contact Centre (ICC) operated by the HSE. Notifications are then passed on to the relevant enforcement authority. Full details of what should be reported and the procedure are available on the ICC website at: [www.riddor.gov.uk](http://www.riddor.gov.uk).

Our policy is to review all accident notifications and to investigate as appropriate. Our aims in undertaking independent investigations of accident notifications are:

- To prevent a recurrence of the accident by securing improvements in health and safety standards, including practices and procedures, the assessment of the effectiveness of existing controls
- The identification of potential hazards and associated risks
- Provision of advice and information
- Appropriate enforcement action (proportionate to risk) to secure compliance with health and safety legislation where necessary

During 2009/10 the officers investigated 167 notified accidents and dangerous occurrences. The majority of the accidents occurring in Bracknell were related to poor manual handling and slips and trips. However:

- 53 accidents resulted in a member of the public being taken to hospital.
- 48 accidents resulted in injuries to an employee requiring an absence from work of more than 3 days.

## Smokefree Bracknell Forest

Officers continued to monitor and advise business on compliance with smokefree legislation at all inspections.



A total of 8 complaints and 5 enquiries were received relating to smoking. All complaints were resolved informally without the need for enforcement action. There is extensive advice and information about the smokefree requirements on the Council's website at:

<http://www.bracknell-forest.gov.uk/smokefree>

Compliance has remained high throughout the year with low levels of complaints, largely due to public demands and acceptance.



## Asbestos

More people die from asbestos-related disease per year than are killed on the roads. Asbestos is raised as a matter of concern at every inspection. Employers are assessed on how they are complying with their duty of managing asbestos in buildings and advice is given on how to achieve compliance.



Statistics from the HSE show deaths from mesothelioma for 2005-07 to be at 73 for males and 11 for females.

### Slips Trips and Manual Handling

71 visits were carried out to raise awareness and improve compliance in preventing slips and trips.

7 visits were carried out to premises where manual handling injuries had been high. Premises were found to be relatively compliant and willing to comply where required.

### Enforcement Action

We have adopted a broad and comprehensive set of measures to protect consumers and promote health and safety, and we actively work with local business to achieve a balanced approach.

Any enforcement action taken by the officers is proportionate and in accordance with the Council's Enforcement Policy. A full copy of the policy can be found on our website: [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk).

The enforcement action taken in relation to health and safety for 2009/10 and the two previous years is shown below:

<b>ENFORCEMENT ACTION</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Informal improvement notices	68	47	60	59
Formal notices	5	4	4	2
Prosecutions	0	0	0	0
Immediate Prohibition Notices	0	0	2	1
<b>TOTAL</b>	<b>73</b>	<b>51</b>	<b>66</b>	<b>62</b>

## **Variations from the Plan**

Departures from the Health & Safety Enforcement Plan will be exceptional, capable of justification and be fully considered by the head of service before varying action is taken. Reasons for any departure will be fully documented. Monitoring procedures are in place to assist in evaluating the effectiveness of the services as a whole. Performance reports are presented as key performance indicators monthly and quarterly with comments where performance exceeds or fails to meet targets. This information will then be fed back into the development of other service plans.

## **Staff Development 2009-2010**

Each officer is responsible for keeping a record of training undertaken and maintaining their own CPD records. However following the appraisal process the following courses were attended during 2009-10:

- Commercial Catering Gas Safety Awareness
- Flexible Warranting
- Legionella
- Loading and Unloading
- Accident Investigation
- Work Related Death Investigation

APPENDIX B

HEALTH & SAFETY ENFORCEMENT PLAN 2010-11

<b>Protecting Consumers</b>			
<b>Task</b>	<b>Outcome</b>	<b>Resource</b>	<b>By when</b>
To seek to improve the health and safety standards of workplaces in Bracknell Forest through effective enforcement methods.	Inspection 45 high risk businesses in Bracknell Forest where we are the enforcing authority for health and safety in accordance with risk aiming to complete 100% of identified high-risk premises and using targeted interventions for other business, where appropriate.	45 x 4 hours Total 180 hours 116 hours re-visits 98 hours Notices 103 hours Prosecutions Total 497 hours	50% - October 2010  Complete March 2011
To develop, implement and maintain a Health and Safety Plan	Provide encouragement, direction and support to local businesses in achieving higher levels of compliance and standards to enhance the wellbeing of Bracknell Forest residents and visitors. Plan to be achieved within existing resources.	Incorporated into other tasks	March 2011
Respond to and investigate workplace accidents and reports of poor working practices and conditions	To ensure that effective investigations are carried out for 100% notifications and to take prompt action to improve conditions and reduce likelihood of injury recurring. Examine local trends in accidents reports.	Total approx time 160 hours	March 2011
In partnership with the Health & Safety Executive work towards reducing the number of accidents and ill health that occurs within Bracknell Forest by focusing on priority areas identified local, regional and national level.	Adapting existing project plans that have been developed by the HSE for campaigns to: <ul style="list-style-type: none"> <li>• Free up officer time for developing 11 campaigns and allow more contact time with businesses</li> <li>• Low cost publicity and support material by use of nationally produced resources and publicity</li> <li>• Impact on the health of the community and the strength of the local economy by targeting areas of identified significant risk.</li> </ul>	600 hours	March 2011



APPENDIX B

HEALTH & SAFETY ENFORCEMENT PLAN 2010-11

<b>Project Working – Focussing Resources</b>			
<b>National Topics jointly with HSE</b>	<b>Comments and Outcome</b>	<b>Resource</b>	<b>By when</b>
LPG Inspection Campaign	Joint Berkshire Project	20 premises x 4 hours 10 hours database 10 hours research Total 100 hours	March 2011
<b>Countywide Topics</b>	<b>Comments and Outcome</b>	<b>Resource</b>	<b>By when</b>
Motor Vehicle Repair	Joint Berkshire Project Clarify Enforcing authority for these premises and update database. Carry out inspections in 10 premises to get a representation of compliance.	10 visits x 5 hours 10 hours database 10 hours research Total 70 hours	April to October 2010
Sunbeds	Joint Berkshire Project May to August : carry out inspections of tanning salons to secure compliance. Gather intelligence regarding supervision status of the premises and under 18 to feed into Sunbeds (Regulation) Bill.	8 premises x 4 hours 10 hours database 10 hours research Total 52 hours	May to August 2010
Nail Bars	Joint Berkshire Project September to November : carry out inspections of nail bars to secure compliance.	10 inspections x 5 hours 10 hours research Total 60 hours	September to November 2010
Slips and trips in Catering	Joint Berkshire Project Reducing slips and trips in food premises. Carried out at time of inspection.	60 visits x 30 mins Total 30 hours	

**APPENDIX B  
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

<b>Local Topics</b>	<b>Comments and Outcome</b>	<b>Resource</b>	<b>By when</b>
Slips and Trips at leisure centres	<b>5</b> visits to leisure centres; the aim is to ensure legal compliance and adopting best practice.	5 visits x 5 hours 5 hours research Total 30 hours	50% - October 2010  Complete March 2011
Legionella	Identify high risk sources and raise awareness with <b>10</b> duty holders at leisure centres, garden sales premises, spa venues, golf clubs. Aim is to adopt best practice.	10 visits x 5 hours 5 hours research Total 55 hours	50% - October 2010  Complete March 2011
Disease Reduction – Dermatitis	Aimed at industries where skin hazards are high risk. Following up successful seminars held in 08/09: visits to raise awareness and implement simple controls to <b>20</b> hairdressing premises and further seminar for those in flower industry followed by <b>10</b> flower sales premises. Dermatitis among KP staff in <b>15</b> catering premises where main duties involve wet work.	45 visits x 1.5 hours 5 hours research Total 72.5 hours	50% -October 2010  Complete March 2011
Special Treatments	Continue to provide specialist advice for the Licensing section and for businesses on <b>100%</b> new applications and renewals.	Previously counted	March 2011
Smokefree	Continue to monitor for compliance at all premise visits and respond to <b>100%</b> complaints and enquiries.	50 Visits x 2 hours Total 100 hours	March 2011
Asbestos – Duty to Manage	Raise at all relevant visits. Likely to result in some enforcement to secure improvement.	40 visits x 30 mins Total 20 hours	March 2011
Caravan Sites	Conduct full inspection of one caravan site to check compliance, health and safety aspects of model standards and licence conditions.	Total 40 hours	March 2011
Fireworks	To inspect 40 licensed premises to check compliance with storage and safe provisions.	40 visits x 2 hours Total 80 hours	November 2010
Riding Establishments	To inspect 4 premises for compliance with health and safety legislation and animal welfare provision	Total 28 hours	March 2011
Taxi Inspections	To conduct at least one joint enforcement agency inspection involving VOSA, Social Security, Customs and Excise and Thames Valley Police to check safety of licensed vehicles.	Total 24 hours	March 2011
Petroleum	To inspect through risk assessment premises licensed for the storage and sale of petroleum products to ensure compliance with legislation and safer working practices.	16 visits x 4.5 hours	March 2011
Animal Establishments	Inspections of premises	12 x 3 hours Total 36 hours	March 2011

**APPENDIX B  
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

<b>Support for Local Businesses</b>			
<b>Task</b>	<b>Outcome</b>	<b>Resource</b>	<b>By when</b>
To facilitate the delivery of health and safety promotional events and material to reflect local needs and national priorities	Organise one major workshop during the year Produce one H&S Newsletter for distribution to all Bracknell Forest businesses Prepare 2 H&S press releases Ensure that the full range of information and guidance is available on priority areas	20 hours  5 hours 3 hours  10 hours Total 38 hours	March 2011
To provide support and advice to local businesses to help them improve their health and safety compliance	Respond to requests for advice within 2 working days and provide full advice within 14 days	192 hours	March 2011
To maintain up-to-date health and safety pages on the Council's website	Provision of relevant accessible information and links to other key sites including Berkshire Health and Safety Website.	30 hours	March 2011 Ongoing
To provide training in Risk Assessment (CIEH Accredited course)	One low cost course aimed at small businesses in Risk Assessment (CIEH Accredited)	15 hours	March 2011

<b>Local Partnerships</b>			
<b>Task</b>	<b>Outcome</b>	<b>Resource</b>	<b>By when</b>
To support and participate in a joint warranting project with the HSE	Work effectively together on agreed regional projects to provide a consistent and improved service	Previously counted	March 2011
Develop links with local businesses to support local priority topics	To form partnerships with a variety of organisations to help support the service aims particularly focussing on raising awareness during European Health and Safety Week. 2 major partnerships (Panasonic and one other)	2 x 30 hours research Total 60 hours	March 2011

**APPENDIX B  
HEALTH & SAFETY ENFORCEMENT PLAN 2010-11**

<b>Performance Management</b>			
<b>Task</b>	<b>Outcome</b>	<b>Resource</b>	<b>By when</b>
To respond within agreed timetables for national performance data for HSE	Full reports annually and in year returns submitted within time frames	10 hours	May2010
To maintain a quality service in accordance with Section 18 HSC	Implementation of the agreed work plan, ensuring consistency of approach and maximised resources Continue to implement an in-house competency system for appointed officers Identification of staff training needs during appraisals, including: RDNA – Regulators Development Needs Analysis tool GRIP – Guidance for Regulators Information Point. Reviewed and up-to-date internal procedures	20 hours	March 2011
Complete Monthly Performance Assessments	Report on quality and consistency of the Commercial Team's work and review as necessary	12 hours	March 2011
To undertake benchmarking with the other Berkshire Authorities via the Berkshire Health & Safety Liaison Group and Berkshire EH Managers Group	Application of best practice, enabling the service to continually improve and identify areas suitable for collaborative working	10 hours	Ongoing
To periodically consult with stakeholders	To seek Business satisfaction levels by annual ongoing consultation and to use the information to improve the service and to further identify local needs.	10 hours	Ongoing
		<b>Total Resource 2,456 hours</b>	

## APPENDIX C

### Equality Impact Assessment Record

Date of EIA                      1 July 2010  
 Directorate                      Environment Culture & Communities

		Step
<b>Initial Screening Record</b>		<b>1/2</b>
Activity to be assessed	<b>Health and Safety Law Enforcement Plan 2010-11</b>	
What is the activity?	<input type="checkbox"/> Policy/strategy <input checked="" type="checkbox"/> Function/procedure <input type="checkbox"/> project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change	
Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	
Aim / objective / purpose of the activity – who is the activity designed to benefit/target?	<p>The Council is required by section 18 of the Health and Safety at Work etc Act 1974, to ensure that national priorities and standards are delivered effectively and consistently at a local level.</p> <p>The plan sets out how the Council intends to comply with those obligations and in so doing mitigate against the risk of an adverse inspection report from the external monitoring body the Health and Safety Executive followed by possible intervention and surcharge.</p> <p>The activity is regulatory and the Equality Impact Assessment in relation to the plan was covered by the overarching document Enforcement Policy 2008 which was reported to the Executive on the 18 November 2008. <b>The purpose of the enforcement policy is to set a framework for enforcement action in the Environment and Public Protection Division which includes the Health and Safety Law Enforcement Plan.</b></p>	
Who is responsible for the activity?	The person/section/team responsible for this policy/function is: Overwrite with name of individual, section or team	
Did Step 1: Initial Screening indicate that a full EIA was necessary?	<input type="checkbox"/> Yes – full EIA completed and recorded below. <input checked="" type="checkbox"/> No – full EIA not completed therefore record ends here.	
<b>Full EIA Record</b>		
Who are the members of the EIA team?	Overwrite with names of individuals, section or team	
What evidence has been found to indicate that the activity might need to be amended? (Include any consultation undertaken)		
With regard to the equalities themes, which groups might be <b>impacted</b> by the activity? Might any of these groups be impacted <b>adversely</b> ?	<b>Groups Impacted</b>	<b>Groups impacted adversely</b>
	Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief	<input type="checkbox"/> Race and ethnicity <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion or belief
What evidence is there to suggest an impact/adverse impact?		
		<b>3/4</b>
		<b>4</b>

On what grounds can impact or adverse impact be justified?		<b>5</b>
Is there any current action that addresses issues for any of the groups impacted/adversely impacted?		
What changes will you make to the activity reduce or remove any differential/adverse impact?		
Into which action plan/s will these actions be incorporated?		
Who is responsible for the action plan?		
Have any examples of good practise been identified as part of the EIA?		
Has the EIA been published on the Council website?		<b>6</b>
Who is the relevant Chief Officer and have they signed off the EIA?	Name Signature .....	
Which PMR will this EIA be reported in?		