



Environment and Leisure Department

HEALTH & SAFETY LAW ENFORCEMENT PLAN

2007 - 2008

ANNEX 1

June 2007

Environment & Leisure Department
Bracknell Forest Borough Council
Time Square
Market Street
Bracknell
RG12 9JD

Tel: 01344 352000

Fax: 01344 351190

Email: customer.services@bracknell-forest.gov.uk

INTRODUCTION

Bracknell Forest Borough Council's Health and Safety Law Enforcement Plan contains details of:

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

Our key priorities are:

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

The Council is responsible for health and safety under 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. We advise on and enforce health and safety in **1191** premises including offices, shops, warehouses, builder's merchants and services such as hairdressers as shown in the table below:

Type of Premises	Number of Premises
Retail shops	299
Wholesale shops, warehouses and fuel storage depots	37
Offices	387
Catering, restaurants and bars	188
Hotels, camp sites and other short stay accommodation	18
Residential care homes	47
Leisure and cultural services	87
Consumer services	125
Other premises	3
Total	1191

Officers from the Commercial Team (Environmental Health & Safety) are authorised to carry out this work and we aim to focus our resources on the areas where research suggests we will have the greatest impact in terms of reducing workplace injury and ill-health. Our work is varied, for example last year we:

- inspected 73 businesses and carried out 113 other related visits
- responded to 129 complaints and enquiries
- investigated 156 accidents notifications
- issued written notifications on how businesses can comply to 57 businesses

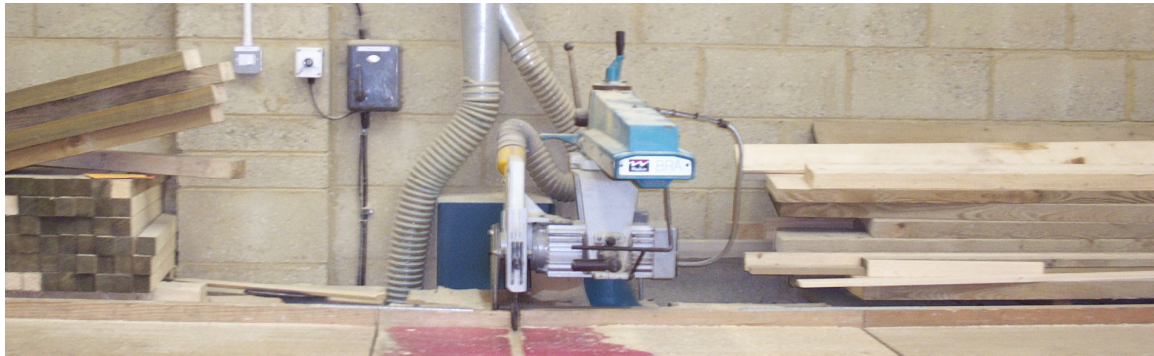
The national targets for Health and Safety identified by the Health and Safety Commission (HSC) and set out in the **Revitalizing Health and Safety Strategic Statement** (June 2000) are to:

- reduce the number of working days lost per 100,000 workers from work related injury by 30% by 2010
- reduce the incidence of fatal and major injury incidents by 10% by 2010
- reduce the incidence of cases of work related ill health by 20% by 2010

The HSC strategic plan contains eight priority topic programmes of which five are relevant to Local Authorities:

- **slips and trips**
- **falls from height**
- **workplace transport**
- **musculoskeletal disorders**
- **workplace stress**

The Commercial Team consists of 5 Officers who spend approximately 40% of their time on health and safety issues.



In 2007/06 we plan to:

- inspect 110 high risk businesses
- focus our work on priority topics identified by the HSE
- 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

This plan is reviewed every year and we welcome your comments and suggestions on how it could be improved further. Please forward your views to:

Consumer.services@bracknell-forest.gov.uk

WORKING TOGETHER

Our Vision

The Health & 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 Corporate objectives within the Community Plan that encompass our health and safety work are contained within the Medium Term Objectives (MTO), specifically:

- MTO 5 to work with partners to improve health provision within the Borough
- MTO 5.6 to work with partners to reduce inequalities in health throughout the Borough
- MTO 5.8 to encourage people to adopt lifestyles which promote better long term health

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.

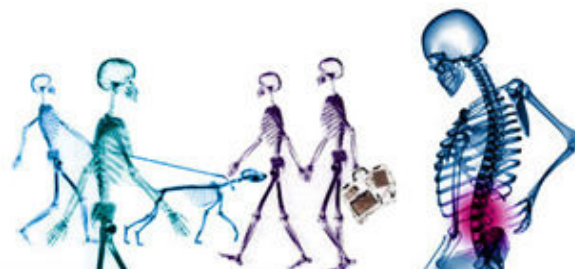
We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate.

This Health & 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.

Working in Partnership with Others

Fit3

In January 2006 the Council 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.



Fit for Work, Fit for Life, Fit for Tomorrow

Our activities for 2007/2008 (detailed in Appendix A) are planned around the HSE's 'Fit3' – **Fit for Work, Fit for Life, Fit for Tomorrow**. This strategy compliments and supports 'Revitalising Health and Safety'. Fit3 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.

Public Health

The need for developing closer working was identified at a joint Primary Care Trust/BFBC conference held on 18 November 2005 in Bracknell Sports Centre. The usequent first meeting of the Public Health Working Group was on 10 October 2006. The Group meets quarterly and has a core membership of key representatives of the Primary Care Trust and Bracknell Forest Borough Council. Others are invited according to need.

Berkshire East

Primary Care Trust

In the period since, the focus of activity has been to establish itself as an effective group, to draw out and share information. The aim being to develop better understanding and in order to be able to undertake a comprehensive audit of current activity in five topic areas in relation to schools, communities, primary care and the workplace as follows:

- 1 Tobacco
- 2 Physical Activity
- 3 Healthy Eating
- 4 Accidents
- 5 Stress

The audit is intended to help inform the future work plan of the Group. As part of the initial work the Group has received reports/presentations on the following:

- (a) Draft Obesity Prevention Strategy
- (b) Smoke-Free Bracknell Forest
- (c) Healthy Eating and Physical activity Strategy
- (d) Indicators of Health Need
- (e) School Obesity Data
- (f) Planning & Transport Policy
- (g) Alcohol Harm Reduction Strategy
- (h) Children and Young Peoples Plan

The drive is towards ensuring that links are made across departments/strategies/work plans at the right level, in order to ensure delivery of the Public Health Agenda in its widest sense and across all sectors of the community.



Smoke Free Bracknell Forest



Smoke Free Berkshire

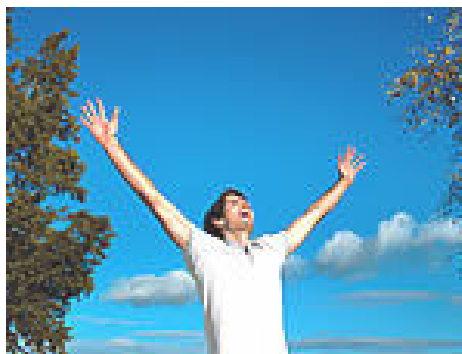
Through the Smokefree Berkshire partnership we have been working with East Berkshire PCT, Slough BC and Windsor and Maidenhead Council to raise awareness of Smokefree legislation and smoking cessation services to companies in East Berkshire.
www.smokefreeberkshire.co.uk



As an individual council we have been working hard to prepare all local companies to comply with Smokefree legislation. This has also included comprehensive work internally to prepare the council as an employee, a building owner and enforcement agency.

Mail shots, a Smokefree newsletter and a Smokefree road show have been used to inform and raise awareness amongst local businesses and the general public. There is extensive advice and information about the Smokefree requirements on the Council's website at <http://www.bracknell-forest.gov.uk/smokefree>

The Commercial Team will be liaising with both the Licensing and Trading Standards Teams to achieve a consistent approach to enforcement of the Smokefree legislation and ensure that it is in accordance with our existing enforcement policy.



HOW DID WE PERFORM?

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

Inspections and other interventions

In 2005/06 officers in the Commercial Team carried out a total of 143 health and safety inspections and visits.

- 105 were programmed inspections
- The remaining 42 were revisits, special visits and response to complaints from members of the public

Table 1 shows targeted or programmed inspections for the higher risk premises: A, B1 and B2. The lower risk premises B3 and B4 will be subject to “other intervention strategies” rather than inspections. This is likely to include postal questionnaires, seminars and the issue of specific publicity material.

	A	B1/B2	B3/B4
Targeted 2005/2006	9	32	51
Targeted 2006/2007	7	45	51
Targeted 2007/2008	5	48	58

It is expected that there will be some increase in the number of health and safety premises which are inspected over the year as some lower risk premises are likely to be brought back into the formal inspection process following complaints and accident investigations.

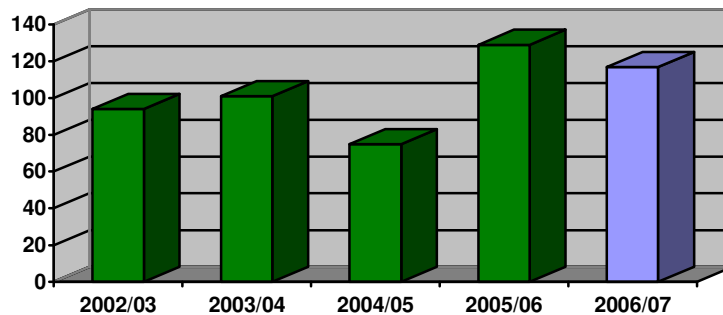
In addition there are 1000 C-rated or unrated premises in the area. Although these are of insufficient risk to be included in the inspection cycle, they have previously been targeted with questionnaires to check their status and awareness in relation to health and safety and will continue to be approached in that manner. All unrated premises will be desk top rated to bring them into the inspection cycle. A specialist health and safety newsletter was distributed in January and included, for example, information on how to manage asbestos materials in buildings.



Health and Safety Complaints and Enquiries

During 2006/2007 the Team dealt with **117** complaints regarding working conditions and practices. We aim to respond to all such enquiries within 2 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
- employment of young persons
- fork lift truck operation
- trip/slip hazards



The chart above shows that complaints regarding health & safety have declined slightly but are still more each year than for the period from 2002 to 2005.

Accident Investigation

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, places 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 web site at; 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 2006/2007 the Team investigated **219** notified accidents and dangerous occurrences which is a significant increase on the **156** accidents notified to the Commercial Team during 2005/2006. The majority of the accidents occurring in Bracknell are related to poor manual handling and slips and trips.

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 Team is graduated, 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

Enforcement action taken in relation to health and safety for 2006/2007 is shown below;

ENFORCEMENT ACTION	2005/06	2006/07
Informal improvement notices	57	68
Formal notices	4	5
Prosecutions	0	0
TOTAL	61	73

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 Environmental Health & Safety and the Team Manager – Commercial, 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.

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 A** details targets from our Action Plan for 2007 -2008 along with proposed timescales.

Staff Resourcing

There are now 5 appropriately qualified and authorised officers within the Team who spend approximately 40% of their time on health and safety issues. The Council utilized the services of trusted contactors to complete our programmed activities and respond to complaints and enquiries during periods of staff shortage in 2006/2007

Customer Feedback and Quality Monitoring

Procedures are in place to scrutinise all the work that is undertaken by the officers in the Commercial Team. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We also evaluate our performance by asking our customers to complete a 'Customer Satisfaction' survey following inspections.

We plan to continue 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)**



Benchmarking

The Audit Commission introduced a new set of Performance Indicators (BVI 166) for Environmental Health and Trading Standards in 2001/02. The Environmental Health and Trading Standards Services have continued to improve their performance over the past 3 years, meeting the target in 2005/06.

An inter-authority audit of the health and safety enforcement service was carried out by Berkshire Health and Safety Liaison Group in November 2002 with an observer present from the HSE. The service scored 2 to 3, meaning that statutory requirements are frequently met and that guidance is often met fully.

We are members of the Berkshire Environmental Health Benchmarking Club which seeks to identify and develop good practice procedures to help enhance the quality and consistency of service provision.

Staff Development

We aim to make full use of the skills that exist in the Commercial Team and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers. The following courses were attended during 2006-2007

Health & Safety Update training
Berkshire EH Managers Symposium
Workplace Transport
Fire Safety
Legal Briefing
FIT3 Briefings

- Royal Mail
- Better Backs
- Height Awareness

Internal training

- Project Management

Further Information

If you would like further information about the service that the Commercial Team provides, or would like to speak to an officer for advice on a health and safety matter, please contact us:

The Commercial Team
Environmental Health & Safety
Environment & Leisure Department
Bracknell Forest Borough Council
Time Square
Market Street
Bracknell
RG12 1JD

Tel: 01344 352000
Fax: 01344 351190
Email: consumer.services@bracknell-forest.gov.uk

Or look on our website at
www.bracknell-forest.gov.uk/environment.htm

Availability of Officers

Officers can be contacted through our Customer Service Centre which is open at the following times:

8.45 am—5.15 pm Monday to Thursday
8.45 am—4.45 pm Friday

Useful contacts and websites:

www.hse.gov.uk The Health and Safety Executive web site, 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 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 for a full list of reportable major injuries, diseases and dangerous occurrences and when and how they must be reported.

www.berkshirehealthandsafety.co.uk useful fact sheets on health & safety maintained by the Berkshire Health & Safety Liaison Group

www.workplacehealthconnect.co.uk free, practical advice on workplace health and safety designed to help SME's, that is Small and Medium Enterprises. Advice line; 0845 609 6006

Height Awareness Seminar held in partnership with Panasonic, Bracknell

