



## **HEALTH AND SAFETY LAW ENFORCEMENT PLAN 2014 - 2015**

**(inc 2013 – 2014 OUTTURN)**

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# PART 1 – THE PLAN FOR 2013 - 2014

## 1. Introduction

### Our Vision

The annual Health and Safety Law 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 all people can thrive: living, learning and working in a clean, safe and healthy environment”**

The health and safety work that we do primarily falls within the scope of Priorities Four (Create a Borough where people are, and feel, safe) and Five (Sustain economic prosperity). More specifically Medium Term Objectives eight (Work with police and other partners to ensure Bracknell Forest remains a safe place) and nine (Sustain the economic prosperity of the Borough) provide the main focus for our work. The plan itself provides a golden thread for each service priority identified, to enable it to be traced directly up to our Vision.

Our Health and Safety Law Enforcement Plan aims to ensure a graduated approach based on risk to public health, including both employees and others who may be affected by the operation of a business such as customers. It reaffirms our commitment to carry out our duties in an open and fair manner, protecting employees and wider the public and supporting business and economic development. In doing so, at its core sits five basic principles:

- Targeting – taking a risk based approach
- Proportionality – only intervening where necessary
- Accountability – able to explain and justify service levels and decisions
- Consistency – apply standards consistently to all
- Transparency – open and user-friendly

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties, providing a level playing field without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate in accordance with the national Regulators Code and our Enforcement Policy.

This Health and Safety Law Enforcement Plan sets out the actions we are taking to promote health and safety for the benefit of local residents and employees and those who operate their business within our Borough.

The Council is responsible for health and safety under The Health and Safety at Work, Etc. Act 1974 and the associated Regulations. We advise on and enforce health and safety in **1458** premises including offices, shops, leisure sites, catering premises and hotels. The Health and Safety Executive produces formal guidance under Section 18 of the Health and Safety at Work, Etc. Act 1974<sup>1</sup>. This guidance shapes the work of all local authorities in relation to health and safety and the HSE may potentially audit local authorities on their health and safety enforcement activities.

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<sup>1</sup> The National Local Authority Enforcement Code. Available at: <http://www.hse.gov.uk/lau/la-enforcement-code.htm>

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

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

Being mindful of the above priorities, we strive to provide a health and safety enforcement function that is driven by the concept of **sensible risk management**. In practice our key priorities are to:

- provide advice and information to Bracknell Forest businesses and residents
- reduce unnecessary interactions with businesses that consistently meet requirements
- undertake appropriate contacts with business on the basis of risk, reducing the burden on compliant businesses whilst targeting those that seek to gain an advantage from non-compliance
- investigate complaints and accidents and listen and respond to concerns raised; giving priority to those involving specific injury or death in the workplace
- consult our customers upon the quality of our service and key issues
- work in partnership with others to improve our outcomes for Bracknell Forest; for example The Health & Safety Executive, Public Health England and the Royal Berkshire Fire Service

Whilst this plan specifically deals with the forthcoming financial year of 2014-15, it takes place within the context of the wider agenda and the longer term view. The plan directly links the health and safety law service areas with the identified Regulatory Service Priorities<sup>2</sup>. It is reviewed annually and additionally includes details of the previous years performance; the 2014-15 outturn.

## **2. The National Context to this Plan**

In addition to directly linking to other internal Bracknell Forest plans, this health and safety law plan is influenced by the national agenda.

Specific issues that have, and will continue, to impact on the direction of our work include:

### **a) Health and Safety Executive Guidance**

Bracknell Forest Council is responsible for protecting the health, safety and welfare of employees and members of the public who may be harmed as a result of work activities. However, this duty is shared with the Health and Safety Executive (HSE) depending on the type of work premises and the powers of both bodies is detailed in the Health & Safety at Work etc Act 1974 and associated Regulations.

The HSE additionally produces formal guidance that all relevant authorities (both LAs and the HSE) are legally required to be mindful of. Referred to as 'Section 18 guidance' as it is produced under Section 18 of the Health and Safety at Work, Etc. Act 1974, this guidance requires Authorities to make adequate arrangements for enforcement, including details such as service planning, the officer capacity required to enforce in the Borough, the competency of those officers and the production of an appropriate enforcement plan.

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<sup>2</sup> Details of the Regulatory Service Priorities are provided on page 25

This national guidance, referred to as the 'National Local Authority Enforcement Code', aims was to simplify the requirements placed on LAs and also identify high risk sectors that should become the focus of our activities. The code influences our priorities and focuses our activity by minimising full inspections in preference to other types of activity; such as reactive investigations and project work.

## **b) Reducing the Burden on Business**

There is a strong drive from Central Government to reduce the burden upon business and not to undertake inspection or enforcement activities without a specific reason. As an enforcing authority we fully support this view.



The Better Regulation Delivery Office (BRDO) has developed national Priority Regulatory Outcomes<sup>3</sup>, which provide a focal point for all of our regulatory work, including food safety and food standards. This health and safety law plan directly links the health and safety service areas with these Priority Outcomes.

## **c) Primary Authority Partnerships**

The concept of Primary Authority was formalised under the Regulatory Enforcement and Sanctions Act 2008. Under this legally recognised scheme (overseen by the Better Regulation Delivery Office), any business operating across more than one Local Authority can form a formal partnership, effectively forming a focus for consistent advice. It is the gateway to simpler, more successful local regulation.

We offer Primary Authority partnerships to businesses wishing to take advantage of the scheme and have recently signed a partnership that covers health and safety matters with Bennelong Golf Partners Subsidiary Ltd. Whilst, we have several other partnerships, this is the only one that specifically covers health and safety matters. All of our health and safety work is however mindful of this scheme, and any relevant businesses within a partnership.

The impact of partnerships can be huge. A Primary Authority can issue formal advice to its partner business that applies throughout England & Wales regardless of where the outlets are based, and officers must take into account any such guidance or inspection plan. Primary Authority gives business the confidence to expand and grow, knowing that any such regulatory advice they receive is binding on other local authorities.

Recent changes to the scheme has meant a significant expansion to the range of businesses that can participate, to now include franchise operations, trade associations and other business groups. Bennelong Golf Partners Subsidiary Ltd and its associated operations fall within this new 'Co-ordinated Partnership', and so these changes have enabled this local employer to participate in the scheme.

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<sup>3</sup> The National BDRO Priority Regulatory Outcomes are detailed on page 25

Additional changes last year mean that inspection plans produced under the scheme have a stronger status in law and any proposed deviations must be notified to the Primary Authority. The scheme has additionally expanded to cover a greater number of subject areas, now also including Under Age Sales, gambling and sunbeds. The various steps to expand and strengthen the scheme means that our local partners are able to gain greater utility with our local expertise.

**d) The Independent Regulatory Challenge Panel**

In order to help support business, and challenge the perception that Authorities were placing unreasonable requests upon businesses, the Independent Regulatory Challenge Panel was formed to consider any cases of excessive or unreasonable requirements. Since its inception in 2011 there has been one successful challenge; with no challenges to requirements made by BFC. Further details can be found at: <http://www.hse.gov.uk/contact/challenge-panel.htm>

### **3. The Local Context**

Within Bracknell Forest Council, the health and safety function is located within Regulatory Services; within the Environment and Public Protection Division of Environment, Culture and Communities. The work is carried out by the Health and Safety Team, which is made up jointly of officers from the Commercial Team (Environmental Health) in relation to general health and safety and the Trading Standards Team in relation to fireworks and petroleum safety. The general aspects of this plan are managed day to day by the Commercial Team Manager (Karen O'Connor), and the fireworks and petroleum safety aspects by the Trading Standards Team Manager (John Nash). To maximise our resources and provide a consistent and balanced approach, both teams fall within Regulatory Services and are overseen by the Head of Regulatory Services (Rob Sexton).

Whilst much of our overall work is guided by the national context, it is refined and shaped locally as we take into account local intelligence and available information. This includes specific local knowledge of the nature and type of businesses within Bracknell Forest, and by utilising data sources such as complaints received, inspection data and reported accidents. By utilising such local sources of information, taking into account the national context, we are able to prioritise our work to ensure best effect with the resources available to us, whilst taking a sensible approach to health and safety. This includes:

- focusing attention towards the real risks, meaning valuable resources are not wasted on the trivial whilst ensuring that workers and the public are properly protected.
- reducing burdens on those we regulate, meaning that we become a better regulator.
- building our organisation's credibility, providing credible and proportionate advice, whilst ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to proportionally robust enforcement action.



It is also important to recognise what is not included in our approach to sensible risk management, as it is neither possible nor desirable to try and create a totally risk-free society. For example, we do not restrict important recreational and learning activities for individuals where the risks are managed.

Sensible risk management is about practical steps to protect people from real harm and suffering – not bureaucratic back covering. At every visit or intervention with a business, we offer advice setting out the sensible and proportionate steps to be taken to deal with workplace risks properly. For example we only undertake full inspections for those premises representing the highest risk, whilst for lower risk operations we provide more support and guidance via information provision and self-assessment activities.

With the incorporation of Public Health into Bracknell Forest Council's remit, key projects, such as Legionella control, provide vital links with this new area of work. We are working with our Public Health colleagues to ensure that such synergies are explored fully with the aim of maximising our collective impact.

#### **4. The Specifics for Health and Safety within Bracknell Forest Borough**

Bracknell Forest Council has health and safety responsibilities in respect of **1458** 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	356
Wholesale shops, warehouses and fuel storage depots	48
Offices	428
Catering, restaurants and bars	233
Hotels, camp sites and other short stay accommodation	22
Residential care homes	30
Leisure and cultural services	123
Consumer services	208
Other premises	10
<b>Total</b>	<b>1458</b>

In comparison with some other districts, Bracknell Forest has low numbers of wholesalers and warehouses, and higher proportions of offices, retail and leisure businesses.

There is no legal requirement for businesses to register their business with us for general health and safety purposes, and so we are reliant upon officers becoming aware of changes within the district and updates from our colleagues across BFC, such as Business Rates. There are however some specific operations that are required to register, such as cooling towers, special treatments (e.g. tattooing) and those selling fireworks.

Commercial Team Officers within the Regulatory Services Section deal with the main aspects of workplace safety related matters and undertake programmed risk based inspections, reactive inspections and 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. Trading Standards staff have a role related mainly to matters of the safe storage and sale of fireworks and petroleum, undertaking inspections and responding to enquiries and complaints received. Whilst officers generally visit during office hours, this is very dependant upon the operating times of a business. Our flexible working arrangements mean that officers undertake visits both at evenings and over weekend periods in response to when businesses actually operate.

In addition to routine inspection visits, we also prioritise our available resources and undertake alternative enforcement activities. These generally apply to all but the highest risk operations and may be in the form of a self-assessment questionnaire or a visit by a less experienced officer reporting back to fully qualified officers. When such alternative methods are used, any significant problems or concerns identified will always be investigated by fully qualified officers, including a full inspection if appropriate. By taking such alternative approaches we are able to focus our resources towards those higher risk operations, maximising the impact that available officer time can make on protecting the public. We are always striving to move the service forward and look for more efficient and effective delivery methods, including minimising the overall number of visits to business by different officers where possible.

## **5. Resources**

Our primary resources are our staff. There are currently 1.5 full time equivalent qualified officers within Environmental Health, and 0.2 full-time equivalent officers within Trading Standards who perform aspects of health and safety law enforcement. In total 9 officer posts are involved in issues relating to aspects of health and safety enforcement as part of their day-to-day duties, consisting of:

- 2 x Team Managers (currently one post vacant)
- 1 x Senior Environmental Health Officer (currently Acting as Team Manager)
- 3 x Environmental Health Officers
- 2.5 x Trading Standards Officers
- 1 x Trading Standards Enforcement Officers

The Commercial Team officers spend 40% of their time on health and safety related matters, although a recent officer leaving and a further post with extended leave means that some of this work is currently undertaken by contracted staff. Additionally, within the Trading Standards Team 5 officers have been allocated to undertake fireworks safety work accounting for approximately 4% of their time.

In addition to the work detailed elsewhere in this Plan, officers within the Health and Safety Team represent Bracknell Forest on relevant regional bodies with the aim of sharing good practice, benchmarking and achieving value for money. For example, we are members of the Trading Standards South East Limited (TSSEL) Group which seeks to identify and develop good practice procedures to help enhance the quality and consistency of service provision. We are also members of the Berkshire Health and Safety Liaison group with a key function of co-ordinating the health and safety enforcement function towards a consistent approach across the county. This group periodically also undertakes county wide inter authority audits. Such activities aim to both improve regulatory service provision while maximising the effective use of local authority resources.

Officers can be contacted through our Customer Service Centre on 01344 352000 which is open from **8.30am - 5.00pm Monday to Friday**. Whilst officers are based at the Time Square offices on Market Street, Bracknell, officers are not generally office based and

messages may well have to be left. Alternatively they can be emailed at [regulatory.services@bracknell-forest.gov.uk](mailto:regulatory.services@bracknell-forest.gov.uk)



## **6. Departures from the Plan**

Departures from the Health and Safety Law Enforcement Plan, reported through Departmental Management Team, will inevitably occur due to the reactive nature of some of the areas of work. However, departures will be kept to a minimum, capable of justification and be fully considered by the Head of Regulatory Services before varying action is taken. With performance reports additionally presented as key performance indicators monthly and via quarterly service reports, comments are added where performance exceeds or fails to meet targets. This information will then be fed back into the development of other service plans.

## **7. Customer Feedback and Quality Monitoring**

Procedures are in place to scrutinise all the work that is undertaken by the Health and Safety Team. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We additionally invite customer feedback, and during 2013-2014 no formal complaints were received regarding the food service. Moving forward into 2014-15 we will be introducing a web-based survey for all regulatory services customers, both businesses and the general public, and the results will help us to ensure we are providing the best possible service to customers within the resources available. The survey is open to anyone having contact with us at <http://consult.bracknell-forest.gov.uk/public/eh/regservevaluation> and paper copies are available to those unable to complete the survey online.

We monitor our performance against targets on a monthly basis, via internal Key Performance Indicators (KPIs) which includes numbers of inspections, visits, etc. 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 additionally annually undertake an in-house competency assessment for Officers in accordance with Section 18 Guidance issued by the HSE Local Authority Enforcement Liaison Committee (HELA).

All such monitoring and performance information is fed back into the development of future food and other service plans.

## **8. Staff Development**

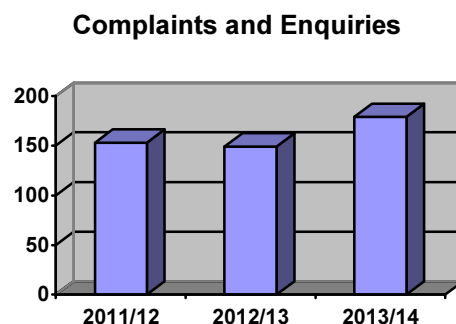
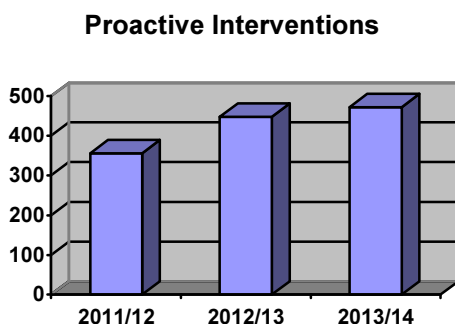
We aim to make full use of the skills that exist in the Health and Safety Team and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers, with all health and safety officers supported to maintain relevant training during the year, in accordance with the Health and Safety Executives requirements.

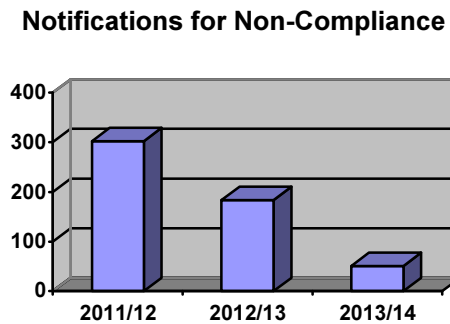
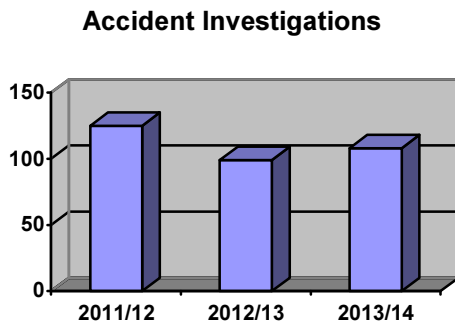
## 9. Our Performance Outturn for 2013-14

In producing our Health and Safety Law Enforcement Plan each year we reflect on the previous years activities. This process provides the opportunity to identify what went well and what went less well, and identify trends or key areas for focus moving forward. The health and safety law enforcement activity undertaken during 2013/14 is detailed on pages 11 to 19, although in summary we:

- undertook proactive interventions with **499** businesses. This included undertaking **11** full inspections of our highest risk businesses, reviewing self-assessment questionnaires returned from **50** medium risk premises, sending relevant health and safety information to a further **196** low risk businesses, and undertaking first interventions with **215** new businesses. We additionally inspected **23** premises for fireworks safety and **4** premises in relation to petroleum.
- carried out **100** other related visits
- responded to **179** enquiries and complaints
- investigated **108** accident notifications
- issued formal notifications on how businesses can comply with the law to **51** businesses, of which **none** were formal Notices
- signed our first Primary Authority Partnership that specifically covers health and safety matters.
- undertook targeted project work to focus attention on higher risk activities by inspecting all relevant cooling towers and other premises that present a potential risk of Legionella.

This activity can be compared with previous years:





## 10. Our Health and Safety Law Enforcement Plan for 2014-15

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. We have moved the emphasis from full inspections of premises purely on a risk based inspection programme to participation in national campaigns and projects tailored to target local and regional priority topics. Full inspections are restricted to those premises where activities represent the highest risk, as determined by national guidance and local intelligence.

Details of planned activities for 2014-15 begin on page 19, however, in summary we plan to undertake the following:

- inspecting health and safety premises on the basis of risk
  - inspect all high-risk businesses (risk rated A) and all premises due an intervention with high risk sector activities as identified by the National Local Authority Enforcement Code; a total of **11** premises.
  - Provide self-assessment questionnaires to **62** medium risk premises, and provide relevant information to **192** lower risk premises
  - Undertake advisory visits or provide relevant information to all businesses previously not risk rated
- focussing our work on priority topics identified by the HSE and carry out topic-based projects
- investigating complaints and concerns over health and safety, including work with other authorities within Berkshire and the South East on issues that cross local authority boundaries and affect Bracknell Forest businesses and residents.
- providing advice and information, including:
  - extending our Primary Authority Partnership arrangements
  - providing advice and guidance in response to requests from businesses to help them achieve compliance with legal requirements
  - ensuring the information on our website is up to date and accurate
- consulting our customers and seeking feedback on the quality of our service.

## 11. Concluding Information

This plan is reviewed every year and we welcome your comments and suggestions on how it could be improved further. If you would like further information or would like to speak to an officer for advice, please contact them via any of the following options:

Regulatory Services  
Environment, Culture & Communities Department  
Bracknell Forest Borough Council  
Time Square  
Market Street  
Bracknell, RG12 1JD  
Tel: 01344 352000  
Fax: 01344 351141  
Email: [environmental.health@bracknell-forest.gov.uk](mailto:environmental.health@bracknell-forest.gov.uk)  
Or look on our website at: [www.bracknell-forest.gov.uk/healthandsafetyatworkinvestigation](http://www.bracknell-forest.gov.uk/healthandsafetyatworkinvestigation)

Additionally useful information is available at the following 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. This includes specific advice and toolkits to help different types of business achieve compliance. The local HSE office is at:

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

[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 across Authorities.

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

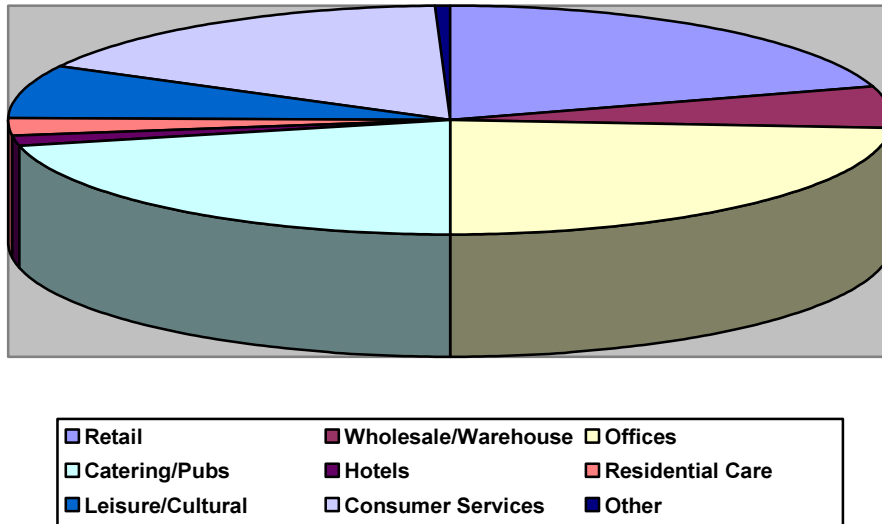
[www.workplacehealthconnect.co.uk](http://www.workplacehealthconnect.co.uk) - free practical advice on workplace health and safety designed to help SMEs, that is Small and Medium Enterprises.

## PART 2 – HEALTH AND SAFETY ENFORCEMENT OUTTURN 2013–14

A summary of this Outturn is provided under Section 9 above (pages 8-9), with further detail below:

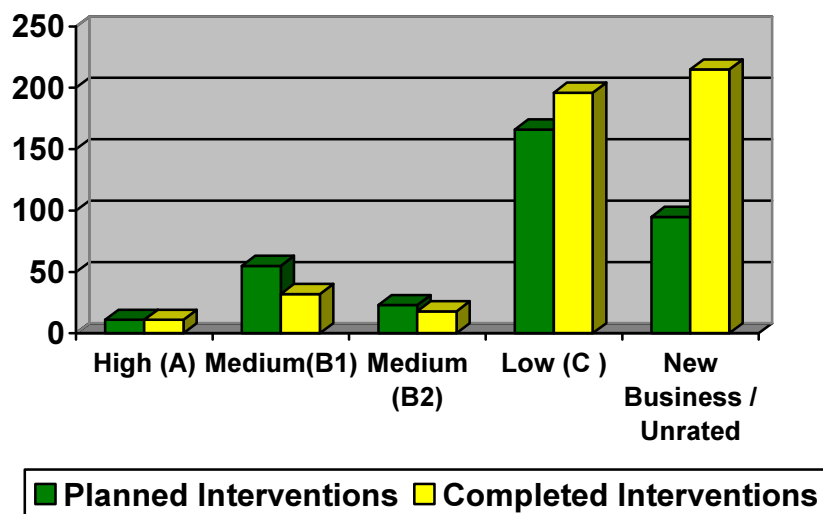
### 1. Proactive Inspections and other interventions

The chart shows the proportion and type of businesses where proactive interventions were targeted in relation to Health and Safety during 2013/14.



In 2013/14 officers completed a combined total of **499** proactive interventions overall, including both inspections and other interactions such as self-assessment questionnaires and appropriate information provision. The individual breakdown for Environmental Health and Trading Standards interventions are illustrated in the diagrams in the subsequent sections 2 and 3.

### 2. Environmental Health – Health and Safety Interventions for 2013/14

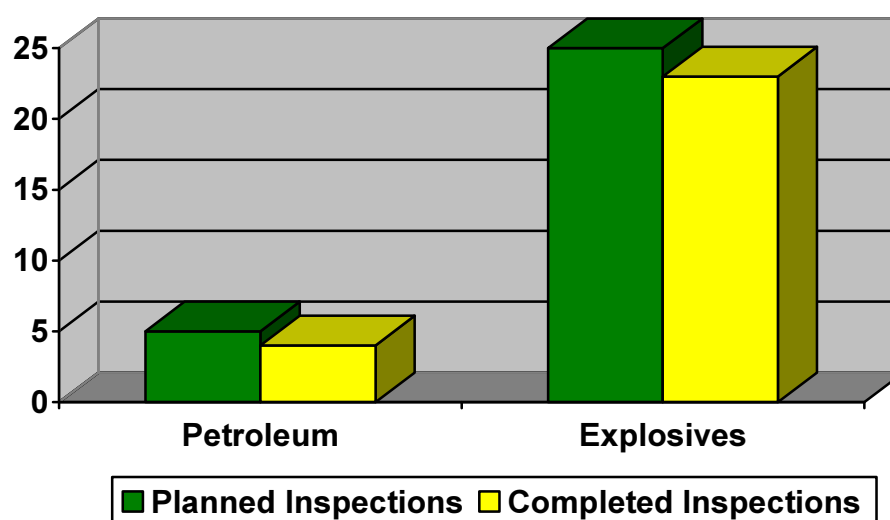


A total of **472** proactive interventions were undertaken during 2013/14. At the beginning of the year there were 11 premises rated as 'A' scheduled for proactive intervention, with all 11 receiving a full inspection. Both B1 and B2 rated premises were scheduled to be assessed via returned self-assessment questionnaires and low risk premises scheduled to be provided with relevant information and advice. Whilst fewer than planned interventions occurred with the medium and low risk premises, a higher number of new premises were either inspected or provided with advice and guidance than initially programmed.

In addition, **100** reactive visits were undertaken during 2013/14 in response to notifications, enquiries or complaints. These comprised of:

- **14** advisory visits
- **22** revisits to follow up on issues of non-compliance
- **14** visits in relation to accidents
- The remaining **50** visits were made up of both visits in response to complaints or enquiries from business or the public (**23**), visits where the business was identified as closed or not trading at that time (**5**), special treatments / smoke free visits (**17**) and **5** joint visits with other teams or agencies.

### 3. Trading Standards – Fireworks Safety & Petroleum Interventions for 2013/14



Explosive work is traditionally focussed around the bonfire night celebrations. This is because the majority of licensed premises in the Bracknell area can only sell fireworks at specific times of year (Bonfire, New Year, Diwali, Chinese New Year) with November being the peak season. In addition to the normal explosives work we advise Waitrose on their systems for selling explosives across the UK.

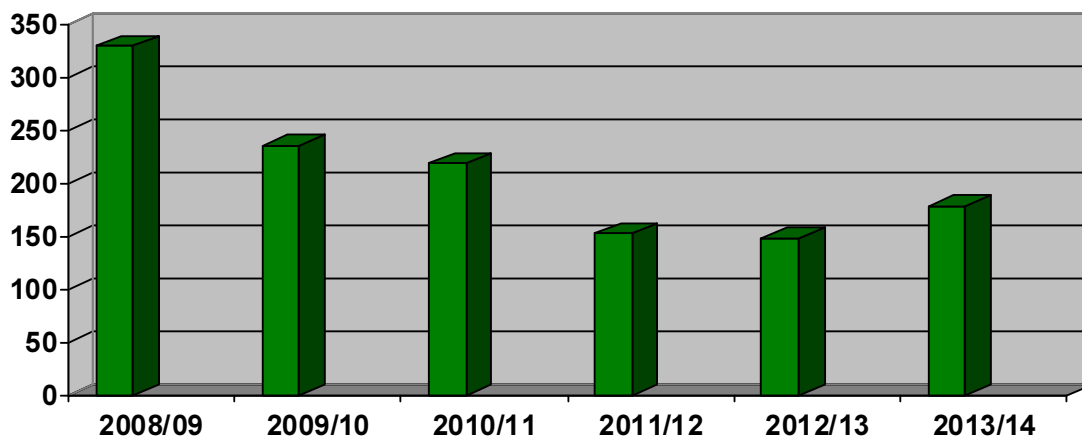
Petroleum licensing is now primarily focussed on petrol stations, there are 15 premises across the district, these are risk rated and visited accordingly.

#### 4. Enquiries and Complaint Investigations



During 2013/14 we received **179** enquiries and complaints as shown below, regarding working conditions and practices. We aim to respond to all such enquiries within 5 working days, but if it is judged that the situation is serious then we try to respond the same day. Some examples of the enquiries we have dealt with are:

- Requests for information about how a business may comply
- Working practices
- Trip/slip hazards
- Poor working conditions including lighting, seating, temperature
- Employment of young persons



Health and Safety Enquiries and Complaints

#### 5. Accident Investigations

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 more serious work-related accidents, diseases and dangerous occurrences. Most notifications are reported via the HSE's website at <http://www.hse.gov.uk/riddor/>. Notifications are then passed on to the relevant enforcement authority.



We review all accident notifications and investigate as appropriate, according to the severity and significance of the incident and relevant HSE guidance. 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, and 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 2013/14 officers received **108** notified accidents and dangerous occurrences.

- **1** fatality (which transpired to be not work related)
- **9** major or specified injuries<sup>4</sup>
- **44** accidents resulted in a member of the public being taken to hospital.
- **50** accidents resulted in injuries to an employee requiring an absence from work of more than 7 days.
- **0** dangerous occurrences
- **4** reported accidents that once investigated were determined as non-reportable
- **1** reported accident that was subsequently referred to the HSE

In order to allow a comparison with our Berkshire neighbours the data for the whole of Berkshire for 2013/14 is detailed over the page. This is broken down into Council area, and shows both the total number and rates per 100,000 population of the main injury types to enable direct comparison.

<sup>4</sup> The relevant injuries changed slightly during 2013 from 'major' to 'specified'

	Fatalities (rate per 100,000 population*)	Major Injuries (rate per 100,000 population <sup>5</sup> )	Over 7 day injuries (rate per 100,000 population*)	Members of Public taken to Hospital (rate per 100,000 population*)	Total (rate per 100,000 population*)
<b>Bracknell</b>	<b>1 (0.88)</b>	<b>13 (11.5)</b>	<b>49 (43.3)</b>	<b>46 (40.6)</b>	<b>109 (96.3)</b>
Reading	1 (0.64)	26 (16.7)	54 (34.7)	67 (43.0)	152 (97.6)
RBWM	1 (0.69)	11 (7.61)	41 (28.4)	53 (36.7)	107 (86.5)
Slough	1 (0.71)	10 (7.13)	47 (33.5)	97 (69.2)	156 (144.8)
West Berks	0 (0)	20 (13.0)	47 (30.6)	56 (36.4)	125 (81.3)
Wokingham	0 (0)	13 (8.42)	20 (13.0)	24 (15.5)	57 (36.9)
<b>Total</b>	<b>4 (0.46)</b>	<b>93 (10.79)</b>	<b>228 (26.5)</b>	<b>343 (39.8)</b>	<b>706 (81.9)</b>

Further detail on the causes of many of the accidents is available, and for example of the **706** accidents within Berkshire some of the main causes were:

	Slip, trip or fall on the same level (rate per 100,000 population*)	Lifting and handling injuries (rate per 100,000 population*)	Fall from height (rate per 100,000 population*)	Other cause or cause not completed (rate per 100,000 population*)
<b>Bracknell</b>	<b>48 (42.4)</b>	<b>18 (15.9)</b>	<b>10 (8.83)</b>	<b>16 (14.1)</b>
Reading	53 (34.0)	15 (9.63)	28 (17.98)	16 (10.3)
RBWM	35 (24.2)	9 (6.23)	18 (12.45)	24 (16.6)
Slough	94 (67.0)	18 (12.8)	7 (4.99)	21 (14.98)
West Berks	45 (29.3)	13 (8.45)	20 (13.0)	21 (13.7)
Wokingham	26 (16.8)	5 (3.24)	2 (1.30)	12 (7.77)
<b>Total</b>	<b>301 (34.9)</b>	<b>78 (9.05)</b>	<b>85 (9.86)</b>	<b>110 (12.76)</b>

Whilst this data is useful to help identify the main causes, several accidents do not detail the actual cause, and the information for accidents occurring in other Local Authorities is not readily available. That said, there are some suggestions that reports for Bracknell Forest are slightly raised than for other areas of Berkshire. There may be many reasons for this including the reporting on incidents that don't need to be reported and increased actual levels.

## 6. Bracknell Forest Borough Council Primary Authority Work

Until recently we had no specific Primary Authority Partnerships that covered health and safety matters. However, we have just signed a partnership arrangement with Bennelong Golf Partners Subsidiary Ltd, known as Crown Golf. It is early days and so the full level of support and advice that we will provide in future is not yet clear, but we are working with the business to identify how we may best work with them towards more effective and efficient health and safety practices, and helping achieve greater consistency between enforcement authorities.

## 7. Enforcement Action



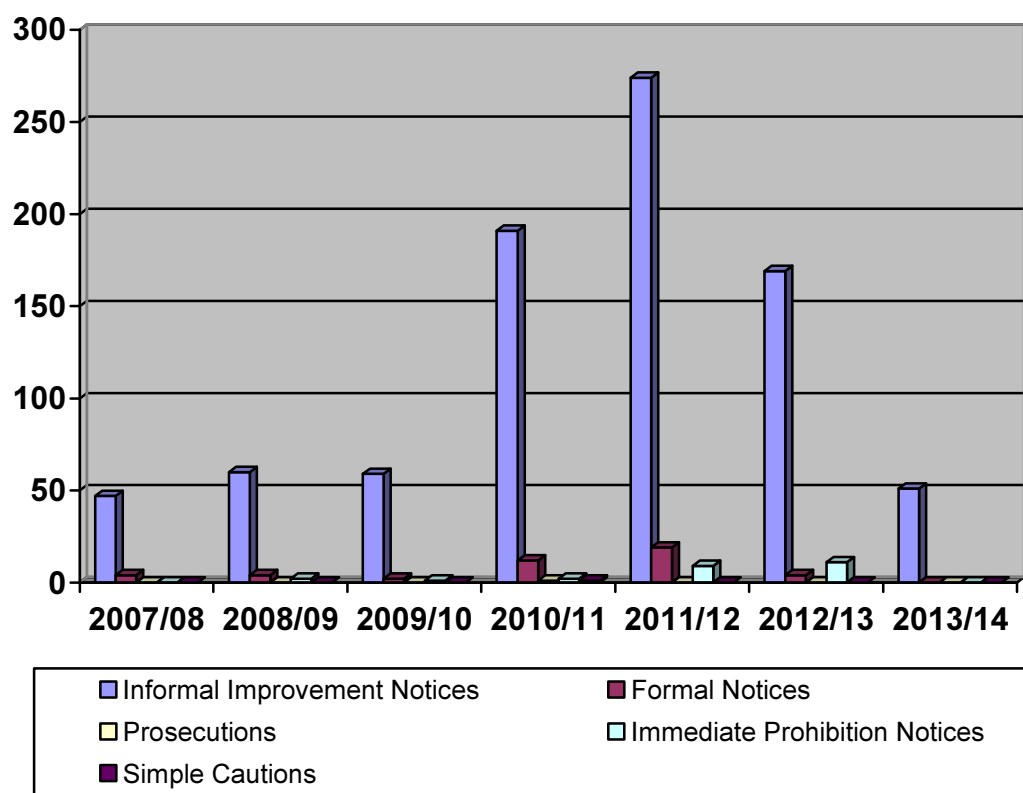
We have adopted a broad and comprehensive set of measures to protect consumers and promote health and safety, and we actively work with local business to achieve a balanced approach. We use the full range of enforcement options available to us, but wherever possible we use informal measures to achieve any necessary improvements.

<sup>5</sup> using 2011 census data at <http://www.bracknell-forest.gov.uk/ks101ew-usual-resident-population.pdf>

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: <http://www.bracknell-forest.gov.uk/enforcement-policy.pdf>

The enforcement action taken in relation to health and safety for recent years is shown below:

<b>ENFORCEMENT ACTION</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>
Informal improvement notices	47	60	59	191	274	169	51
Formal notices	4	4	2	12	19	4	0
Prosecutions	0	0	0	1	0	0	0
Immediate Prohibition Notices	0	2	1	2	9	11	0
Simple Cautions	0	0	0	1	0	0	0
<b>TOTAL</b>	<b>51</b>	<b>66</b>	<b>62</b>	<b>207</b>	<b>302</b>	<b>184</b>	<b>51</b>



In 2011/12 a peak in enforcement work was seen. This was largely due to database updating work undertaken that identified a number of extra premises. As many of these businesses had received no contact previously, the visits revealed a larger number of issues that resulted in informal notices being sent. Since this peak, for both 2012/13 and 2013/14 this figure has been seen to reduce as we have made contact with many such businesses already. This pattern is likely to stabilise into 2014/15.

## 8. Project Working

We ensure that our priority is responding to service requests and the programmed health and safety work that we are required to complete. Thus, due to some staff shortages during the year and a significant focus on food safety work, only limited project work was undertaken in 2013/14.

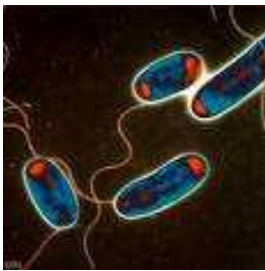
### Cooling Towers



Cooling towers, if not properly managed, may present significant risks to those in the area due to Legionella bacteria breeding in them and escaping to the surrounding area. These bacteria may cause a lung disease called legionellosis, which has very high fatality levels. Due to these risks, nationally authorities have been asked by the HSE to inspect relevant cooling towers in there area. We inspected the 6 premises requested, and whilst most inspections identified no concerns, one has led to some longer term work with the business to improve standards and thus reduce the risks. No formal action was

necessary to ensure adequate progress as all businesses have been working with us to make the necessary improvements identified.

### Water Features



In addition to cooling towers, Legionella bacteria are also able to grow in other types of water systems, including fountains. Due to the national focus on legionella, we visited a number of premises that may present a risk of legionella if their water features and other systems are not adequately cleaned and controlled. A total of 8 premises were inspected, with a further 5 lower risk premises provided with information and advice only. All sites were provided with tailored health and safety advice in relation to their specific system and the risks presented. Whilst some deficiencies were observed, no formal action was necessary.

### Liquid Petroleum Gas



This previously emerged as a high risk nationwide priority which required visits to all known sites utilising bulk storage of LPG, to assess condition, risks and controls in place for underground LPG storage and pipe work. In order to prioritise work nationally, only those sites notified by the HSE were investigated, and as no notifications were received, no such visits were undertaken.

### Database Updating



We continue to review and keep up to date our database to ensure that all Bracknell Forest Council enforced premises are subject to the health and safety programme. The on-going updates build on established informal information sharing opportunities with other teams within the Council to ensure that all new businesses are added to this programme regularly. With changes to Bracknell Town Centre due soon, we are likely to see an increase in business numbers.

## Smokefree Bracknell Forest

Officers continued to monitor and advise business on compliance with smokefree legislation at all visits as appropriate.



A total of 6 complaints and enquiries were received relating to smoking during 2013/14 and all of these 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/smokingbanenforcement>



## Formal Asbestos Notifications

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 relevant 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. A total of 2 formal notifications for work involving areas known to contain asbestos were received, and all were appropriately investigated.



## 9. Staff Development 2013-14

A record of continuous development is maintained for all Officers and training is provided to ensure that officers are up to date and able to tackle specific risks within Bracknell Forest. The following courses were attended during 2013/14:

- Cooling Tower Inspection
- Infection Control at Open Farms
- Primary Authority Partnerships

**Division:** Environment and Public Protection  
**Section:** Regulatory Services  
**Team:** Health and Safety

National Priority	Council Priority	MTO	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
<b>Protecting Consumers, Supporting Business</b>							
4	4	6,8 & 9	4	To maintain a comprehensive Health and Safety Law Enforcement Plan	To adopt annual Health and Safety Law Enforcement Plan	Adoption of plan by Committee	Med
1	4		1 & 4	To work in partnership to reduce the number of accidents and incidents of ill health that occur within Bracknell Forest	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 from developing 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>	Incorporated into specific projects detailed below	Med
4	4	6 & 8	4	To investigate accidents reports via RIDDOR or direct.	To ensure a common, proportionate, transparent and targeted approach for the selection and investigation of accidents and incidents, BFC's selection criteria is based on the HSE's HELA guidance LAC 22/13	100% incidents assessed within 5 working days 100% fatalities responded to within 24 hours	High

**Division:** Environment and Public Protection  
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1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Ensure the full range of information and guidance on priority areas is available to local businesses.	Respond to 100% requests for information and advice within 5 working days Maintain up-to-date health/safety pages on the Council's website	Med Low
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Inspection of all high risk (A rated or B1/B2 high risk sector). Offer support and advice to medium risk (B1 and B2 rated) premises where intelligence identifies concerns over levels of compliance - to be initiated and directed by use of alternative inspection techniques (questionnaires) Offer support and advice to new businesses and 20% of all relevant C risk rated businesses in Bracknell Forest	Full inspection of 11 high risk premises Use alternative inspection questionnaires for 62 B1 and B2 premises. Provide additional support or intervention if deficiencies identified  Provide information to 192 low risk businesses	High Med Low
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Respond to requests from businesses and the public to help improve health and safety compliance. Where significant risks are identified, to take prompt action to improve conditions and reduce likelihood of injury or ill-health occurring.	Respond to 100% requests from businesses and the public within 5 working days	High
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Inspection of 50% of all medium risk Petroleum licensed premises Inspection of 100% of all explosive licensed premises Offer support and advice to new businesses	Inspection of 7 petrol stations Inspection of 100% of premises (currently 23) Respond to 100% requests from businesses and the public within 5 working days	Med

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3	4	6 & 8	4	To reduce the number of accidents and incidents of ill health that occur within Bracknell Forest	To ensure that effective investigations are carried out for 100% of all relevant notifications and to take prompt action to improve conditions and reduce likelihood of injury or ill-health re-occurring.	Respond to 100% of all relevant accident notifications.	High
1	4	6& 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Attend SAG meetings and provide support and information to Event Organisers.	Attend monthly meetings and attend events where specific uncontrolled risks identified	Medium
<b>Project Working – Focussing Resources</b>							
4	4	6& 8	4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Liquid Petroleum Gas Inspection. Inspection of high risk commercial sites with underground LPG pipe work to ensure safety of employees and site visitors as notified by the Health and Safety Executive	Inspection of 5 sites	High
4	4	6& 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Asbestos. Ensure compliance in commercial premises that may contain asbestos materials to ensure risk to employees and visitors is minimised by: incorporating asbestos control into full health and safety inspections. Providing appropriate advice and guidance for all formal asbestos removal notifications	Include asbestos management within 100% of full inspections (11)  Respond to 100% of formal notifications and attend removal works as appropriate	High  Med

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National Priority	Council Priority	MTO	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
4	4	6 & 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Inspection of HSE notified cooling towers to ensure safety of employees and those in the vicinity Ensure that all relevant cooling tower premises are registered, in order to facilitate oversight of high risk activities	Inspect 100% premises notified by the HSE (estimated 5)  Review registered cooling towers to ensure up to date	High  Med
4	4	6 & 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Skin piercing treatments. - Local intel shows rising numbers of high risk skin piercing operations. Risk focussed initiative to assess practices within higher risk skin piercing businesses (tattooists and cosmetic body piercers)	Assessment of 100% of relevant premises (currently 7) against local Byelaws and national guidance. Appropriate actions to minimise risks to customers.	Medium
4	4	6 & 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Legionella risks – local intel from 2013/14 project suggests some local businesses not aware of adequate legionella controls. To target businesses providing residential care for legionella controls	Assessment of 5 residential care homes for adequate legionella controls. Provision of advice and assistance to ensure adequate control of legionella	Medium
4	4	6 & 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Noise at Work in Licensed Premises. Focus on noise levels affecting staff.	Joint working with EP + Licensing teams (estimated 5)	Medium
4	4	6 & 8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Reduce risks of carbon monoxide poisoning from solid fuel cooking. To be assessed as part of food hygiene inspections in order to minimise multiple regulatory visits to businesses.	Assess 100% of inspected food premises for risks from solid fuel burners (estimated 223), providing appropriate advice to businesses with solid fuel burners	Medium

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National Priority	Council Priority	MTO	Regulatory Services Priority	Service Priority	Service Action	Outcome measure	Priority
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Examine local trends of complaint and enquiry requests and use as service planning intelligence; targeting higher risk activities or work areas for the subsequent financial year.	Evaluate 2014/15 data to ensure local intelligence is used to focus the 2015/16 work plan	High
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Examine local trends of accident notifications and use as service planning intelligence; Targeting higher risk activities or work areas for the subsequent financial year Improving RIDDOR report accuracy and reducing over-reporting of non-reportable accidents by targeting businesses with higher reporting rates	Evaluate 2014/15 data to ensure local intelligence is used to focus the 2015/16 work plan  Identify the 5 highest RIDDOR reporters; provide advice and guidance to ensure appropriate reporting and any on-going risks resolved.	High  Medium
1	4	6&8	1 & 4	To assist businesses to improve Health and Safety compliance levels and deliver improved public health outcomes through a programme of Intel led activities	Work with Primary Authority Partners to improve consistency across Local Authority areas within England and Wales by providing advice and guidance in relation to health and safety matters.	Respond to 100% of requests for assistance and provide appropriate advice and guidance on health and safety matters	Medium

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<b>Performance Management</b>							
1	4	6&8	4	Continue to improve our service by managing our performance and comparing ourselves against others	Apply best practice, enabling the service to continually improve and identify areas suitable for collaborative working. Work with local partners, including Berkshire LAs and the HSE to share knowledge, and minimise duplication of effort	Attendance and participation in Berkshire health and safety liaison group.	Medium
	4	6 & 8	4	To maintain a quality service in accordance with Section 18 HSWA	Annual review of work plan to demonstrate compliance with S18 requirements. Implementation of the agreed work plan, ensuring consistency of approach and maximised resources. Continue to implement an in-house competency system for appointed officers. Review and up-to-date internal procedures. Identify staff training needs during appraisals, including: Regulators Development Needs Analysis tool (RDNA) and Guidance for Regulators Information Point (GRIP) Ensure S18 compliance through consistency exercise training of officers.	Monthly and quarterly monitoring of targets via KPIs and quarterly monitoring systems.  Annual assessment of officer training needs via RDNA analysis  Quarterly consistency monitoring of officers. Any identified shortfalls addressed.	High
1	4	6&8	4	To maintain officer competence for health and safety statutory duties	Staff training and experiential learning. Ensuring competence in basic health and safety skills	Annual training needs analysis of all staff.	High

**Regulatory Services Priorities:**

1. To protect and support residents and legitimate business through the promotion of a fair, safe, responsible and competitive trading environment.
2. To work with local business to deliver a safe and quality food chain.
3. To work with partners on improvements to the local environment which positively influence the quality of life and promote sustainability.
4. To target enforcement action against those who demonstrate a disregard for the law and the consequences of their actions.
5. To promote public health and healthy living.
6. To constantly keep under review existing working procedures to ensure improvements in service delivery, effectiveness and efficiency.

**BDRO Priority Regulatory Outcomes:**

1. Support economic growth, especially on small business, by ensuring a fair, responsible and competitive trading environment.
2. Protect the environment for future generations including tackling the threats and impacts of climate change.
3. Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods.
4. Help people to live healthier lives by preventing ill health and harm and promoting public health.
5. Ensure a safe, healthy and sustainable food chain for the benefits of the consumer and the rural economy