

Health and Safety Intervention Plan (reviewed 2022/2023)

REPORT TO EXECUTIVE



DATE	19th January 2023
PORTFOLIO	Community & Environment
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PURPOSE

1. The regulatory team responsible for Health & Safety at Work enforcement must have in place an intervention plan to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

RECOMMENDATION

2. That the report be considered by Scrutiny & Executive Committees.
3. That Executive recommend Full Council to approve the Health & Safety Delivery Plan 2022/2023, detailed at Appendix 1 to this report; and
4. That Full Council approve the Food Safety Service Delivery Plan 2022/2023, detailed at Appendix 1 to this report.

REASONS FOR RECOMMENDATION

5. Section 18 of the Health & Safety at Work Act 1974 and the subsequent National Local Authority Enforcement Code for Health and Safety (The Code) provide frameworks within which the Environmental Health & Licensing Team must operate when carrying out its public protection duties within workplaces. The frameworks require the Council to have plans in place to control these activities, and mechanisms for review. The intervention plan appended to this report has been prepared to satisfy the statutory requirements.

SUMMARY OF KEY POINTS

6. The Health & Safety Intervention Plan has been produced to outline the health and safety regulation duties undertaken by Burnley Borough Council's health and safety team. The regulation of health and safety is split between local authority (LA) regulators and the Health and Safety Executive (HSE), the businesses we regulate as the LA are mostly in the service sector and include offices, shops, restaurants, care homes, hotels, tyre and

exhaust fitters and warehouses. The HSE regulate health & safety in factories, hospitals, council run premises, schools, colleges, construction and agricultural premises.

7. Following recommendations in “Reclaiming health & safety for all: an independent review of health & safety legislation” the approach to health and safety enforcement changed. The changes resulted in the National Local Authority Enforcement Code for Health and Safety Enforcement, which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk-based approach to targeting interventions. Whilst the primary responsibility for managing health and safety risks lies with the businesses who create the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities, and contributing to the wider public health agenda.

Recovery of service delivery post Coronavirus pandemic

In 2021 Local Authority Circular (LAC 67-2 (Revision 10) HSE recognised the need for LAs to prioritise regulatory resources and where appropriate, shift the focus to Coronavirus related health and safety activities The LAC, was revised in 2022, its focus reverted back to advising local authorities on setting their health and safety workplans and targeting their interventions based on local and national priorities.

Towards the end of 2021 officers were still involved in dealing some pandemic related issues and this is reflected in the number of service requests in 2021/2022. We also undertook some targeted visits to specific premises such as Gyms to help them prepare for reopening. We were also working towards getting back to `business as usual` in relation to health and safety regulatory work. At the beginning of 2022 recovery plans were put in place to start to pick up interventions listed as national priorities these plans ran up to the end of October 2022. In 2022/23 officers have started to undertake more proactive inspections and have also undertaken a number of health and safety compliance surveys in the warehouse/logistic sector.

Health and Safety Interventions 1/4/2021 to 31/3/2022

Total interventions include all service requests and interventions undertaken by the Health and Safety Team i.e. H&S complaints and visits, all skin piercing registration work, licensing consultations in regard to public safety and public burials

Total no. of H&S service requests received	199
Reactive Visits following incident/ complaint	1
Reactive Visit to give advice	1
Visits following complaints	6
Other visits face to face (local)	15
Other visits face to face (national)	0
H&S Office based activity	19
Other contact (non-visit) National	54
Other contact (non-visit) Local	49
Revisits	0
Licensing response	51

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. Health and Safety regulation is a core statutory service delivered by the Environmental Health & Licensing Team, under contract to Liberata UK Ltd.

POLICY IMPLICATIONS

9. As national regulators the Health & Safety Commission set and monitor national standards. The framework for local plans is prescribed to ensure “official controls” are consistently delivered across the country. Through audit, they monitor local authorities to ensure that local controls are effective, and they have intervention powers where delivery fails to meet the required standard.

DETAILS OF CONSULTATION

10. Scrutiny and Executive will be consulted prior to Full Council decision

BACKGROUND PAPERS

11. None

FURTHER INFORMATION

PLEASE CONTACT: Jill Wolfendale

ALSO: Karen Davies