

## Health and Safety Intervention Plan (reviewed 2020/2021)

### REPORT TO EXECUTIVE



|               |                                    |
|---------------|------------------------------------|
| DATE          | 15 <sup>th</sup> February 2021     |
| PORTFOLIO     | Community & Environmental Services |
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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. Executive recommends to Full Council to approve the Health and Safety Intervention Plan (reviewed 2020/2021), detailed at Appendix 1 to this report.

### REASONS FOR RECOMMENDATION

3. 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

4. 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.
5. The approach to health and safety regulation changed significantly in 2013, following the recommendations Löfstedt Report in 2011 and as an outcome of the Red Tape Challenge on health and safety. The changes resulted in the National Local Authority Enforcement

Code for Health and Safety which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. Responsibility for managing health and safety risks lies with the businesses who create the risk, however, health and safety regulators 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.

Examples of some interventions carried out in 2019/2020 were inspections following complaints from members of the public, which resulted in the discovery of serious breaches requiring enforcement Notices. We also sent out advice to catering establishments on gas safety and electrical safety.

The first part of 2020 was dominated the COVID19 pandemic. Officers in all teams have worked hard to support and advise businesses in the borough on the `working safely` guidance. Since the start of the pandemic EH & Licensing officers along with covid officer colleagues have carried out over 2,300 interventions with businesses in Burnley, this includes visits/ re visits, specific emails, letters and telephone calls. Officers have dealt with hundreds of requests for advice from businesses and the public on The Health Protection (Coronavirus Restrictions) Regulations, in addition to working with Public Health England and Lancashire HealthProtection to investigate and manage workplace outbreaks. The hope is that towards the end of 2021 we can continue to pick up interventions listed as national priorities such as falls from heights and violence in the workplace.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

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

#### **POLICY IMPLICATIONS**

7. 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**

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

#### **BACKGROUND PAPERS**

9. None

**FURTHER INFORMATION**

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**ALSO: Karen Davies**