

# Health and Safety Service Delivery Plan

# April 2024 to March 2025



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Section 1 **Service Aims and Objectives**

 1.1 Aims and Objectives of the Service

 1.2 Links to Corporate Objectives and Business Plans

 1.3 Business Support

Section 2 **Profile of Fenland**

 2.1 Profile of Fenland

 2.2 Fenland’s Structure

 2.3 Scope of the Health and Safety Service

* 1. Enforcement Policy

Section 3 **Our Health and Safety Services**

* 1. **Health and Safety at Work Inspections/ How we prioritise.**
	2. Competency of Enforcement Officers
	3. Health and Safety at Work Complaints
	4. Injuries, Diseases and Dangerous Occurrences at Work
	5. Primary and Lead Authority Partnership Schemes
	6. Working with other Organisations

Section 4 **Resources**

* 1. Financial Allocation
	2. Staffing Allocation
	3. Staff Development

Section 5 **Quality Assessment**

* 1. How we provide a quality HS Service
	2. Quality Assessment

Section 6 **Performance Objectives**

* 1. Projected Caseload in 2024/25

Section 7 **Review and Variation**

* 1. Review against the Service Plan
	2. Identification of any Variation from the Service Plan

Section 8 8.0 **Service Improvements**

**Health and Safety Service Delivery Plan April 2024 to March 2025**

**Introduction**

Fenland District Council is responsible for regulating health and safety legislation in a wide range

of premises in the commercial sectors across Fenland. These duties are carried out by the

Environmental Health Team alongside our other statutory functions.

This Service Plan relates to our Health and Safety at Work regulatory functions. The Council is required to comply with the National Local Authority Enforcement Code, published in May 2013 by the Health and Safety Executive (HSE) under Section 18 of the Health and Safety at Work etc Act 1974. The implementation of this service plan works alongside the main Communities, Environment and Leisure Service Plan, which covers a wider range of services.

Section 18 requirements are intended to ensure that the Council has:

* **A risk based regulatory approach to health and safety management, working within the parameters of the Council’s current Enforcement Policy.**
* **Competent staff able to enforce if and when necessary.**
* **A clear understanding about their role as the regulator for health and safety.**
* **Clear advice both online and offline for our health and safety business customers.**

This Health and Safety Service Plan is subject to portfolio holder approval to ensure local transparency and accountability. When approved it is published on the Council’s website.

**Section 1: Service Aims and Objectives**

* 1. **Aims and Objectives of the Service**

1.1.1 Health and Safety regulation aims to protect the health, safety and welfare at work of all persons

who work in or use businesses in Fenland where the Council has an enforcement responsibility. It will do this by adopting a risk based approach to target areas of significant risk, based on knowledge of the work sector; national and local intelligence of standards being achieved; investigating complaints and accident notifications; delivering targeted projects and providing a programme of supporting business compliance.

* 1. **Links to Corporate Objectives and Plans**
		1. Our corporate priorities are set out in the Council’s published Business Plan.
		2. This contains 3 key priorities. They are:
1. **Communities**
2. **Environment**
3. **Economy**
	* 1. Our Health and Safety Service works to support these corporate priorities and the Council’s vision as set out in their Business Plan.
		2. Guidance and legal requirements is always obtained from the Health and Safety Executive on technical issues as well as information and advice as to what health and safety services we should provide as a Council.

**Section 2: Profile of Fenland**

* 1. **Profile of Fenland**
		1. Fenland is a predominantly rural area in North Cambridgeshire, based around the four market towns of March, Wisbech, Whittlesey and Chatteris. Many locally owned small and medium sized enterprises are based in the area.
	2. **Fenland’s Structure**
		1. The political structure of the Council is based on a Cabinet, with a membership of a Council Leader, Deputy and Portfolio Holders.
		2. Health and Safety at Work regulation is the responsibility of the Environmental Health service. Health and Safety regulation is delivered through the work of Environmental Health staff.

2.2.3 The Environmental Health Service are based at The Base, Melbourne Avenue, March,PE15 0EN.

Businesses and the public have access to the service by e-mail, the Council’s website and direct telephone lines to officers.

* 1. **Scope of the Health and Safety at Work Service**
		1. Our Health and Safety Services delivery in Fenland will include:
* Working within the Health and Safety Executive guidance LAC67 (Version 13) to deliver

HS Projects and/or programmed interventions at businesses identified as High Risk using local or national intelligence.

* The following work sectors have been identified as high risk (A Rated) premises where the risk of health complications is heightened.:
* Close contact services such as non-surgical aesthetics
* Injecting Botox, fat dissolving medication/injection
* Semi -permanent and permanent Tattooing
* Dealing with matters of evident concern in relation to health and safety at work and/or identification of significant breaches of health and safety law, in food businesses, when a food safety inspection is carried out.
* Visits to premises for programmed health and safety inspections, in response to requests for service, or Adverse Insurance Reports relating to local businesses (AIR).
* Investigating notified fatalities, accidents and reports of dangerous occurrences.
* Promoting health and safety across Fenland by education, training and business support activities.
* Other activities required or directed by HSE and government throughout the year.
	+ 1. There are over 1,300 known health and safety at work business duty holders on Fenland’s data base **(at 1/02/24),** where the main activity is retail, wholesale distribution, offices, caterers, hotels, residential care homes, leisure activities and consumer services.

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| --- | --- |
| **Current Risk Category****(Circular HSE 67/2/v7)** | **HSE Recommended Inspection Frequency** |
| A | Suitable for pro-active inspections - identify the risk and consider the use of **all** interventions to address that risk – **These premises should be inspected at least once in a 3 year period, unless complaints or local intelligence denotes increased frequency of inspection.** |
| B1 and B2 | **These are identified as not** needing a proactive inspection unless complaints or local intelligence denotes increased frequency of inspection. The risk associated with such premises should be considered and addressed using alternative enforcement interventions. |
| C | Use alternative interventions **only** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Risk Category****And number of businesses** | **Inspection** | **Accident or****Complaint****Investigation****Visit** | **Alternative Enforcement****Assessment****(Telephone Interview)** | **Targeted Health and Safety Interventions****(Projects)** | **E-mailed HS advice when requested** |
| A = 150 | **Yes at least once in a 3 year period** | **Yes, if complaint /accident meets investigation criteria** | **No** | **Yes** | **Yes** |
| B1 = 400 | **No** | **Yes, if complaint/ accident meets investigation criteria** | **No** | **No** | **Yes** |
| B2 = 300 | **No** | **Yes, if complaint/accident meets investigation criteria** | **No** | **No** | **Yes** |
| C = 500 | **No** | **Yes, if complaint meets investigation criteria** | **No** | **No** | **Yes** |

* 1. **Enforcement Policy**

Enforcement action covers a wide range of actions, all of which may be appropriate given the circumstances. The Council’s Corporate Enforcement Policy is referred to for guidance on how enforcement is delivered and the potential triggers for enforcement action.

**In line with the Council’s Enforcement Policy any enforcement action taken will be proportionate.**

The relevant action taken is a matter of professional judgment on a case-by-case basis. In some cases, inspectors may need to balance aspects of the visit where compliance was poor against other aspects where compliance was good to come up with their overall judgement. Moreover, some aspects may be more important than others in the context of the particular premises visited.

Aspects related to both physical health and mental health (e.g. stress) are covered by these criteria. Health hazards are not always cumulative (though they may be) and there are a wide range of causative agents) at the workplace.

**The Health and Safety Executive Enforcement Policy**

This will also be considered, to ensure that enforcement action is consistent with national priorities. Proposed enforcement action will be assessed under the Enforcement Management Model issued by HSE:


#### Section 3: Our Health and Safety Service

* 1. **Health and Safety at Work Inspections/ How we prioritise.**
		1. Health and Safety at Work inspections and revisits are carried out in accordance with the relevant HSE Guidance, the Council’s own health and safety Inspection Operating Procedures and with regard to the guidance in HSE LAC 67-2 (revision 13).
		2. Under the current HSE Inspection Rating System only businesses categorised as high risk (Category A premises) will be inspected at least once in a 3 year period.

All remaining low risk (Risk Categories B1 and B2 and C) premises will be dealt with by using a HS Alternative Enforcement Strategy. This includes premises having their own health and safety management self-assessment procedures, online education mainly from HSE on effective health and safety management.

Inspection triggers (e.g. health and safety complaints) could also trigger an inspection.

This approach was introduced at Fenland in 2005/6 and has been our usual inspection approach for many low risk businesses.

* + 1. Programmed and project-based interventions will focus on areas recommended by the Health and Safety Executive within LAC 67/2(Version 13) and local intelligence. National and local intelligence suggests the following work sectors will be classed as High Risk premises in Fenland:

Premises offering:

* Close contact services such as non-surgical aesthetics
* Injecting Botox, fat dissolving medication/injection
* Semi -permanent and permanent Tattooing
* Premises where inflatables are erected,(for example at a licensed premises)
* Premises allowing feeding and petting of animals

In addition raising awareness to any new legal requirements will form part of the Council’s proactive communication to all businesses and the wider community.

* + 1. The environmental health service deal with HS accidents notified by employers to HSE, which concern their employees and also members of the public on their premises who require medical attention as a result of injury or ill health.

**3.2 Competency of Enforcement Officers**

* + 1. Authorisation to use enforcement powers in the Health and Safety at Work legislation is delegated to officers who have the necessary competencies.
		2. Officers will receive adequate and appropriate training and assessment to attain and maintain competence as required by section 18. In house training for officers will also be available along with use of Health and Safety Executive updates on regulations.

**3.3 Health and Safety at Work Complaints regarding a local Fenland business**

Complaints relating to a duty holders compliance with health and safety law will be dealt with in accordance with internal procedures, as a Request for Service. Complaints will be investigated and dealt with in accordance with current Health and Safety Executive/Local Authority (HELA) Guidance.

**3.4 Injuries, Diseases and Dangerous Occurrences at Work**

Accidents, work-related ill health or dangerous occurrences at work are reported to the Council under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. The number of reported accidents can vary depending on the nature of the business and risks involved.

Investigations are undertaken in accordance with the HELA (Health and Safety Executive/Local Authority) Incident Selection Criteria and internal procedures.

**3.5 Primary and Lead Authority Partnership Schemes**

* + 1. It is the policy of the Council to support the voluntary Health and Safety Executive/Local Authority Lead Authority Partnership Scheme (LAPS). The scheme promotes consistency of Local Authority health and safety enforcement among organisations with multiple premises in different council areas. The Lead Authority familiarises itself with the Partner Organisation and acts as a single point of contact for all enquiries from other enforcement authorities about the company and also provides advice on health and safety.
		2. As an Enforcing Authority we will contact and, if necessary, liaise with the relevant Lead or Primary Authority
* Before taking formal enforcement action, i.e. issuing notices or considering prosecution against a participating organisation, except in the case of immediate danger.
* After serving a prohibition notice as soon as is practicable.
* When significant shortcomings are identified in agreed policies or procedures, which we believe ought to be reviewed at a national level.
* Following any on-site investigation of any death, major injury, and case of work-related ill health or dangerous occurrence reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
	+ 1. Officers have regard to Section 18 Guidance Note 6 “Requirements in Respect of Lead Authority Partnership Scheme (LAPS)” and Primary Authority requirements when undertaking duties under the Act.
		2. The Council subscribes fully to the view that good enforcement involves working with the local business community. To achieve this, the service works with businesses to help them comply with the law and to encourage best practice. This will be achieved through a range of activities including:-
* Offering Health and Safety Courses to local businesses upon request
* Providing new businesses health and safety advice on our website and via district officer contact
* Providing advice during food safety inspections and other visits
* Responding promptly to queries from businesses and employees
* Promoting the Health and Safety Executive website for information and guidance
	1. **Working with Partner Agencies**
		1. Officers often liaise with colleagues at the Health and Safety Executive and other local councils when it is necessary to seek information or advice and share experience and knowledge.
		2. The Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers’ Liaison Group also develops joint working on health and safety between HSE and other councils. This Group includes the Health and Safety Executive Local Authority Partnership Manager to enable joint planning of projects and joined up delivery of services.

**Section 4 Resources**

* 1. **Financial Allocation**
		1. The budget allocated to health and safety at work enforcement in 2024/25 is currently £80,410.
	2. **Staffing Allocation**
		1. The 2024/25 staffing resource amounts to 1.50 full time equivalent, made up of a percentage of allocated time of officers in the team.
	3. **Staff Development**
		1. Fenland District Council currently hold the Customer Service Excellence award.
		2. All EH staff have a Springboard meeting to determine their development/training needs, with 6 monthly reviews and monthly 1:1’s. Staff training needs are identified as part of these processes and then stated in the service learning plan.

* + 1. It is the policy of the Council to provide Continued Professional Development training each year on health and safety at work enforcement-related topics. The amount of training required is regularly reviewed and takes into account professional guidance and accreditation requirements.

For example professional competency and registration with the Chartered Institute of Environmental Health. Our training includes:

* Use of the Guidance for Regulators (GRIP) on the HSE website.
* Regular updates through cascade sessions, team meetings, seminars and training days.
* As permitted by resources, post entry qualification training for health and safety at work enforcement officers.
	+ 1. The Service operates a database supplied by Idox for the collection and storage of data relating to all premises, inspections, accident reports, complaints, requests for service and other health and safety work undertaken by officers.

#### Section 5: How We Maintain a Quality Health and Safety Service

* 1. **Quality Assessment**

5.1.1 The Service aims to comply with the Section 18 Health and Safety Executive standards.

* + 1. Performance monitoring will be undertaken quarterly to ensure that approved Service Standards are achieved.

#### Section 6 Performance Objectives

* 1. **In 2024/2025 the key performance targets are:**
* To undertake a program of health and safety inspections of premises using guidance in

LAC 67/2 (revision 13)

* Health and Safety requests for service will be responded to within 5 working days or as soon as possible based on risk.

#### Section 7 Review and Variation from the Service Plan

* 1. **Review against the Service Plan**

Performance will be monitored during the year through our performance report and team meetings.

* 1. **Variation in Service Plan Commitments**
		1. Any variation in service plan commitments will be monitored and reviewed as necessary and dealt with through the performance report.
		2. Additional tasks undertaken throughout the year include:
* Manage and regularly update health and safety information pages on the Council’s website so that they are readily accessible by local businesses.
* Work with the council’s transformation project to enhance service delivery and build in appropriate efficiencies.
* Support the Cambridgeshire and Peterborough Food and Occupational Health and Safety Managers Liaison Group and take part in any planned health and safety peer reviews.
* Review and revise health and safety standard operating procedures as necessary and in response to customer feedback.
* Continue to improve our use of new software for commercial premises and health and safety service requests handling.

**Section 8 : Service Improvements**

**8.1 Transformation review**

8.1.1 The Council’s transformation programme (TA2) focusses on modernising the way the council delivers all services to the customer. During 2024-2025 the health and safety service will be part of a wider environmental health review which aims to provide efficiency and modernisation to the delivery of this statutory service.