South Somerset District Council
Health & Safety Workplan Strategy 2016-17

Pre-amble

National Local Authority Enforcement Code

The National Local Authority Enforcement Code has been published by the HSE to help improve the targeting of health and safety inspections – ensuring that local authority checks are more focused on serious risks and poor performers.

Local authorities are expected to target proactive inspections on high risk activities in specified sectors or on workplaces where intelligence suggests that risks are not being effectively managed. A listing of the activities and sectors suitable for inspection is published along with the Code.

The Code and supplementary list of proactive inspection targets can be found at http://www.hse.gov.uk/lau/la-enforcement-code.htm

Helping Great Britain Work Well Strategy 2016

The new Health and Safety strategy, ‘Helping Great Britain Work Well’ was published during February 2016. This is a five year strategy that sets out six strategic themes for the whole of the GB health and safety system. LA workplace health and safety regulators are a key part of that system, and will be expected to play their role in:

- Encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses;
- Continuing to promote the risk-based, goal-setting regulatory regime that has served health and safety in Great Britain so well;
- Working with partners in the system to make workplaces safer and healthier, providing a level playing field for responsible employers with regulators and co-regulators, by advising, promoting, and where necessary, enforcing good standards of risk control;
- Using proportionate, risk-based regulation to support better outcomes, innovation and the safe use of new technologies;
- Developing services and products that contribute to improved management and control of risks, sharing our knowledge, and
- Continuing the dialogue and conversation with stakeholders to make the system better, always looking to provide simple, pragmatic advice and support.

Full details on the strategy can be found at http://www.hse.gov.uk/strategy/index.htm.

Local Authority Circular 67/2 (rev5) – Setting Priorities and Targeting Interventions

LAC 67/2 (rev.5) replaces all previous versions and has been established to provide LA’s with guidance and tools for priority planning and targeting interventions, enabling them to meet the requirements of the Code.

The Code provides flexibility for LAs to address local priorities alongside the national priorities set by HSE. LA’s should construct their work plan for a given year to deliver specific outcomes. The plan consists of work to deliver those national priorities set by HSE, work to deliver local priorities and be accompanied by an inspection programme that meets the requirements of the Code.

SSDC Work Planning 2016-17

1. Setting Priorities in South Somerset

Accounting for resource availability the plan will consist of work to deliver:
a. **National priorities set by HSE**

i. **Falls from height – work on/adjacent to fragile roofs/materials**

Fragile roofs/skylights etc. can be found at many premises that fall to LAs for enforcement. Where they are identified during visits, Officers should discuss the associated risks, to ensure that prospective clients for repair and maintenance work (owner or building user) is aware of their duties under CDM 2015 and the precautions needed, referring them to the appropriate guidance above. On occasions, Officers may come across work on a fragile roof that is underway at the premises being visited (typically, small-scale repairs/maintenance such as gutter cleaning). The risks may give rise to a matter of evident concern (MEC), in which case, poor standards should be addressed with all duty holders – client, designers and contractors, and any enforcement action taken in accordance with the enforcement policy and, where appropriate, in collaboration with HSE. Guidance on safe working on fragile roofs can be found at [http://www.hse.gov.uk/pubns/geis5.htm](http://www.hse.gov.uk/pubns/geis5.htm).

ii. **Health risks - respirable silica dust**

Dust, containing harmful respirable crystalline silica (RCS), can be generated during common operations such as block cutting, chasing brickwork and cutting concrete floors. During visits, Officers may come across minor construction work that is generating significant quantities of silica dust that give rise to a MEC. Poor standards should be addressed with duty holders and any enforcement action taken in accordance with the enforcement policy and, where appropriate, in collaboration with HSE. Guidance on construction dust can be found at [http://www.hse.gov.uk/pubns/cis36.htm](http://www.hse.gov.uk/pubns/cis36.htm). Guidance on controlling construction dust can be found at [http://www.hse.gov.uk/pubns/cis69.htm](http://www.hse.gov.uk/pubns/cis69.htm).

iii. **Duty to manage asbestos**

In premises likely to contain asbestos (i.e. built before 2000) Officers should draw duty holder’s attention to their duty to manage such materials. On occasions, failure to manage the risks from asbestos (e.g. failure to maintain in a safe condition or minor construction work that breaches the fabric of the building without proper surveys, controls or planning) may need to be dealt with as a MEC during general visits. Where management of asbestos risks arises as a MEC and standards are particularly poor, Officers should take appropriate enforcement action in accordance with the enforcement policy and, where appropriate, in collaboration with HSE. Guidance on managing asbestos can be found at [http://www.hse.gov.uk/pubns/indg223.htm](http://www.hse.gov.uk/pubns/indg223.htm).

**Note**: The SSDC website will be developed to include links to the HSE guidance set out in points (i) – (iii) above.

iv. **Visitor attractions to prevent/control ill health arising from animal contact**

During 2012/13 all premises identified within the target group received a mail-shot promoting current Industry/HSE/HPA guidance on prevention/control of ill health at visitor attractions. Officers will maintain an eye for any new businesses or local events within the target group and offer advice on the industry guidance where appropriate.

The SSDC website has been developed to include an advice and guidance page covering this topic. This will be maintained should further advice or guidance become available through the year.

v. **Investigation of incidents and complaints**

Officers should use the current Somerset Health, Safety & Food Group’s complaint selection criteria process to select relevant incidents and complaints for investigation. The procedure can be found at [J:\FSL\Food, Safety\HSW\Complaint Investigation Selection Criteria](J:\FSL\Food, Safety\HSW\Complaint Investigation Selection Criteria).

vi. **Proactive visits as part of a Home Office led cross agency operation to tackle labour exploitation**

LA’s may be asked to support, at short notice, the Home Office’s Immigration Enforcement initiative, Operation Magnify. This initiative will target businesses across
the UK that employ illegal migrant workers. LA’s will be contacted directly and requested to support operations where intelligence has identified occupational health and safety issues. The service will support and requests made by the Home Office.

b. Local priorities

i. Local information will be used to determine the key risks of serious workplace accidents, injuries and ill-health. This will help identify where resources can be prioritised and applied as the year unfolds.

LAC67/2 (rev5) Annex B, provides advice on the suitable information sources that will assist this process, but the key sources will include:

- Food Safety Officer observations – confidence in management, M.E.C. (see below).
- Registration/Licensing schemes - new businesses, changes in business activity, confidence in management.
- Adverse Insurance Reports (AIRs) - may indicate poor management, maintenance.
- Somerset Health, Safety & Food Group - Local trends, sharing good regulatory practice, methods of effective engagement, poor performing companies that operate in more than one LA.
- RIDDOR data - reported ill health and accidents, statistically comparisons and trends.
- National planning priorities - issues identified and analysed by HSE policy teams as having a national priority.

Matters of Evident Concern (MECs) are defined as those that create a risk of serious personal injury or ill-health and which are observed (i.e. self-evident) or brought to the inspector’s attention. Matters of Potential Major Concern (MPMCs) are those which have a realistic potential to cause either multiple fatalities or multiple cases of acute or chronic ill-health.

ii. MECs or MPMCs will be dealt with during advisory or other regulatory visits as well as complaints and incidents to identify any matters that may present a potential significant local issue. It is vital that any such intervention is adequately recorded at the time and within the FLARE business record. This will assist future identification and review of poor performers.

In setting this programme it is vital that consideration be given to service resource and capacity to achieve the aims set:

<table>
<thead>
<tr>
<th>No.</th>
<th>Hazards</th>
<th>High Risk Sectors</th>
<th>High Risk Activities</th>
<th>Proposed Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Health hazards from poor performance within health and beauty sector, with particular reference to ventilation in nail bars.</td>
<td>Beauty sector/nail bars</td>
<td>Nail bar activities</td>
<td>Database search to identify appropriate businesses within sector(s). Targeted use of self-assessment questionnaire and pro-active inspection for management of risks resulting from falls from height. Develop website with appropriate advice/guidance.</td>
</tr>
</tbody>
</table>
c. Primary Authority inspection plans

i. All categories B1, B2 & C rated premises, due for inspection in the year and part of an agreed Primary Authority (PA) health & safety inspection plan will receive an intervention that is based on and supported by the PA inspection plan.

Officers should maintain ongoing review of the established on-line BRDO Primary Authority system to confirm PA supported businesses and carefully follow any established inspection plans.

Where possible officers should combine the food and H&S interventions during the same visit.

d. Sector Strategy – Proposed Pro-Active Inspection Projects

HSE will undertake an annual review of the national priorities and produce a list of high risk activities within the specific LA enforced sectors where pro-active inspection may be used. The local authority has the discretion to decide whether or not pro-active inspection will be the most appropriate intervention for the sector(s) chosen. The list of activities/sectors for proactive inspection by LAs during 2016-17 can be found at http://www.hse.gov.uk/lau/activities.pdf.

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<td>1</td>
<td>Fatalities/injuries resulting from falls from height</td>
<td>High volume warehousing</td>
<td>Work at height</td>
<td>Proposed to continue focus on this sector/activity from work commenced during 2015-16. Database search to identify appropriate businesses within sector(s). Targeted use of self-assessment questionnaire and pro-active inspection for management of risks resulting from falls from height. Develop website with appropriate advice/guidance.</td>
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e. Risk Rating System

Site risk assessment should not be used to determine the need for proactive inspection interventions. It will however help to formulate relative intervention priorities when considering local priorities and sector strategies, i.e. allow better targeting of interventions on the basis of risk.

Note: HSE’s Field Operations Directorate will be introducing a new risk rating system during 2016. Once this system is fully operational LAU will assess whether or not this new risk rating system will benefit LA regulators. Any new system is unlikely to be introduced before 2017-18.

f. Maintaining Business Records

Without an official system of new business notification, e.g. OSR1, maintaining accurate, up-to-date database details of all businesses subject to LA enforcement within the district remains difficult. To ensure the database remains accurate and up-to-date the service will continue to seek all opportunities to maintain the FLARE database.