

## **WOKING BOROUGH COUNCIL HEALTH AND SAFETY SERVICE PLAN 2020/2021**

### **1. Service Aims and Objectives**

#### **1.1. Aims and Objectives**

1.1.1. The objectives of the health and safety service are:

- to meet the Council's statutory responsibilities to ensure that working environments are safe and without risks to health or welfare, and that work activities do not have an adverse effect on the public.
- to investigate all complaints about health and safety standards and notifications of accidents, occupational ill-health and dangerous occurrences, in premises for which the Council is the enforcing authority i.e. retail, leisure, service sector.

#### **1.2. Links to Corporate Objectives and Plans**

1.2.1. This service plan is the Council's expression of its commitment to the delivery of a continually improving health and safety service, in line with the corporate vision and values to provide excellent services in a forward thinking and sustainable way.

1.2.2. The health and safety service contributes to the Council's priority of promoting health and overall well-being and the six health priorities agreed by the Woking Health & Wellbeing Board. The health and safety service also seeks to develop and promote links with the local business community, to improve standards of health and safety management, which in turn has a positive impact on business productivity.

1.2.3. This plan provides information about the health and safety services provided, the means by which they are provided and the means for monitoring and reviewing service performance against set standards.

#### **1.3. Statement of Commitment**

1.3.1 Woking Borough Council has made a pledge to commit to the Health & Safety Executive's (HSE) Strategy; Helping Great Britain Work Well.

1.3.2 This means we will;

- Act together to encourage others to take ownership of health and safety, particularly reaching out to those who are less engaged.
- Tackle ill health, giving greater focus to health issues at work, whilst still maintaining standards on safety.
- Manage risk well, by simplifying risk management and helping businesses to grow.
- Supporting small employers by providing more simple advice so they know what to do.
- Keep pace with change, anticipating and tackling new health and safety challenges.
- Share our success and promote the benefits of Great Britain's excellent health and safety system.

### **2. Background**

#### **2.1. Profile of the Borough of Woking**

2.1.1. The Borough has a population of 99,200 (mid 2011) and is a major employment centre. Woking town is a substantial and developing shopping, commercial and entertainment centre.

#### **2.2. Organisational Structure**

2.2.1. The health and safety service is delivered by the Environmental Health Service which is part of Place. The health and safety service reports to elected members via the

Overview and Scrutiny and Executive Committees. The service is managed by the Environmental Health Manager, who shares specialist responsibility for health and safety with Senior Environmental Health Officers.

### **2.3. Scope of the Health and Safety Service**

2.3.1. The health and safety service provides the following:

- inspections of businesses for which the Council is the enforcing authority
- investigation of complaints regarding health, safety and welfare in workplaces
- investigation of notifications of accidents, dangerous occurrences and occupational ill health arising from work activities affecting employees or others
- promotion of high health and safety standards through advice, education and training to businesses and the public
- registration of premises and operators carrying out skin piercing activities
- registration of premises with cooling towers
- enforcement action under the Health and Safety at Work (Etc) Act 1974 (HSWA) and associated legislation

2.3.2. The service is currently provided by officers of the Environmental Health Service. Depending on fluctuations in business need, officers will carry out health and safety work alongside other Environmental Health work including food hygiene and environmental protection. Specialist knowledge is retained by a lead officer, but information and operational procedures are disseminated throughout the Environmental Health team.

### **2.4. Demands on the Health and Safety Service**

2.4.1. We have a duty to 'make adequate arrangements for enforcement' under section 18 of HSWA. The National Local Authority Enforcement Code (National Code) sets out the adequate arrangements for enforcement. Compliance with the National Code is mandatory and focuses on delivering proportionate and targeted enforcement using a full range of regulatory interventions.

2.4.2. There are an estimated 1500 businesses in the Borough, for which the Council is the enforcing authority. These consist of shops, offices, caterers, leisure and consumer services and a wide range of other commercial activities. We are required to establish and maintain an accurate and comprehensive database of businesses subject to enforcement. It is recognised that the database of health and safety premises is constantly changing as existing businesses close and new businesses start up within the Borough.

2.4.3. IDOX Uniform computer software holds the database which contains business details and risk rating scores for some businesses. This enables us to determine which businesses are 'high risk' in terms of health and safety so that we can effectively target interventions on those premises that need it most.

2.4.4. It is difficult to maintain an accurate health and safety premises database as there is no requirement for most businesses to register with us. Ongoing work is required to obtain accurate and up to date premises information about local businesses and officers conduct adhoc surveys of the trading and industrial estates on occasion. Officers also update the database by obtaining information from routine inspections, investigations, new business notifications, particular trade sectors, business rates and the HSE.

2.4.5. The Environmental Health Service is based at the Civic Offices in Woking Town Centre, which is open to callers 9.00 to 16.45 Monday to Friday. The team are contactable in the office by telephone, mail, e-mail, via the Council's website and in person and are contactable by mobile phone and e-mail via the office whilst out in the field.

In an emergency a member of the team can be contacted outside of office hours by means of the Environmental Health Call-Out Service.

## **2.5. Enforcement Policy**

- 2.5.1. The service has a documented Enforcement Procedure which is in line with the HSE's Enforcement Policy Statement, the Office of Product Safety and Standards and Local Government Regulation (LGR) guidance.
- 2.5.2. The Council signed up to the Enforcement Concordat in 1998, and the policy embraces the required good enforcement principles.
- 2.5.3. The HSE's Enforcement Management Model (EMM), is available for reference when making decisions about health and safety enforcement actions.

## **3. Service Delivery**

### **3.1. Health and Safety Inspections**

- 3.1.1 Enforcement in the form of planned interventions must be targeted in specific risk areas in accordance with the National Code. This will be at those premises where activities give rise to the most serious risk and are known to be least well controlled, with the aim of ensuring dutyholders effectively manage and control the risks of their work activities. We must focus resources on those premises most likely to cause working days lost and public injury, ill health or sickness absence and where dutyholders seek economic gain or advantage from non-compliance (e.g. rogue traders). The overall aim is targeted intervention involving the right people in businesses and the activities which present the greatest risk, and therefore maximise impact in improving health and safety outcomes.
- 3.1.2 The National Code makes it clear that proactive inspections must only be used to target high risk activities which are set out in Annex 1 of the Code. LA's have a range of other interventions available to them to ensure a business is managing its risks effectively and guidance is provided in LAC 67/2 (revision 8) Targeting Local Authority Interventions. It is important that LA's are able to justify any inspection they undertake and the National Code requires that we use national and local intelligence to inform priorities. LA's must be able to deal reactively with matters of evident or potential major health and safety concern, especially when visiting premises for other reasons, e.g. food safety intervention.
- 3.1.3 We will liaise with other Surrey LAs through the Health and Safety Study Group and gather local intelligence to identify areas of high risk activities in Surrey. We have always benefited from participating in group project work. During 2018/19 we have worked with Surrey LA's to participate in a project on gas safety within the beverage industry. We have also continued to register new skin piercers, making sure they are compliant in health and safety and infection control, as well as updating our records on registered operators, plus we have conducted a small project on the welfare provision of delivery / heavy goods vehicle drivers.
- 3.1.4 In 2018/19, 109 health and safety interventions were carried out. (Interventions are contacts with businesses and include inspections.) Inspection records are maintained in a part computerised and part hard copy system which enables past inspection records to be retrieved.
- 3.1.5 In 2020/2021 inspections / interventions will continue to include providing advice to businesses on compliance (and taking enforcement action where necessary) under the smoke free legislation.

### **3.2. Reactive Services for Health and Safety**

- 3.2.1 All complaints about health and safety conditions within workplaces for which the Council is the enforcing authority are investigated. Reactive complaint work takes priority over programmed visits to ensure that requests for service are dealt with effectively. Requests for information about health and safety standards and legislation will also be met. In some cases, complaints will trigger a full health and safety inspection of the premises. Service requests and complaints are dealt with in accordance with the Policy and Procedure for Responding to Service Requests and Complaints about Health and Safety at Work Conditions.

- 3.2.2 In 2018/19, 56 service requests relating to health and safety, and 1 relating to non-compliance with smoke free legislation, were received. A similar number of health and safety and smoke free complaints are expected to be received during 2019/20 and 2020/21.

### **3.3 Investigation of Accidents, Dangerous Occurrences and Occupational Ill Health**

- 3.3.1 Notifications of accidents at work made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 are investigated in accordance with the Policy for Responding to Reported Accidents and the Accident Notification and Investigation Procedure. Although the policy states that not all accident notifications will be investigated, in practice, the vast majority of those received meet the criteria for investigation. Non-reportable notifications are not usually investigated, but are acknowledged by means of a standard letter.
- 3.3.2 In 2018/19, 25 accident notifications were received and investigated. A similar number are expected during 2019/20 and 2020/21.

### **3.4 Primary Authority Partnership (PAP)**

- 3.4.1 Woking Borough Council has a PAP with Kentucky Fried Chicken (KFC) which covers health and safety and food safety. The PAP Scheme entitles any business or organisation to ask for a Partnership with a Local Authority (LA). Those businesses will be expected to work closely with the LA to ensure they comply with the Regulations that apply to them. This is expected to lead to greater compliance by the business, but also greater consistency and co-ordination of regulatory enforcement by LAs. A central register is maintained of all businesses with a PAP. We are expected to consult with other LAs before undertaking any enforcement work when a business has a PAP. This will have an impact on the service both as an enforcing authority needing to consult with other LA's before undertaking enforcement interventions in businesses within Woking, and as an authority with a PAP.
- 3.4.2 The PAP was launched in January 2011 following an existing Lead and Home Authority Partnership. Woking has a good working relationship with KFC, who have their head office in the Borough. During 2018/19 regular meetings have taken place to keep both parties updated on new legislation, new company procedures or initiatives and any LA contacts made. Other LA's need to consult with us before undertaking enforcement action within KFC's in their areas. We continue to provide advice to KFC on health and safety matters and liaise with them regarding enquiries made by other LA's on issues that affect the business on a national level. This will improve consistency of enforcement and propagate good practice.
- 3.4.3 During 2014/15 we agreed a Memorandum of Understanding with Surrey County Council Trading Standards (SCCTS) which sets out how we will work together in future to offer a PAP package to businesses which would allow them to receive advice in both Environmental Health and Trading Standards. To date the Association of Convenience Stores, a national retail trade association with over 30,000 members has signed up to a PAP with SCCTS and Woking Borough Council and we have provided assured advice on food hygiene and health and safety to the organisation and their members. The Bannatyne Group, a national chain of health clubs and hotels, The Caravan Club and The Hummingbird Bakery have also entered into a PAP agreement covering health and safety, with Woking Borough Council and SCCTS. Businesses are charged for this service on a cost recovery basis.

### **3.5 Support to Businesses**

- 3.5.1 The Council's approach to enforcement includes offering advice to businesses in the first instance to assist them in achieving a satisfactory standard of compliance with health and safety law, where this does not compromise the safety of workers or the public.

- 3.5.2 In addition to the advice that is provided during inspections, revisits and investigatory visits to premises, advice is available to businesses on request at any time. The Environmental Health service also works with trade groups such as Woking Chamber of Commerce and Asian Business Forum. Advice to businesses is also provided by means of our webpages, direct mailings and press releases on particular health and safety issues and new legislation. On occasion, free seminars are held for local businesses on new legislation/developments where there is a benefit in reaching a wider audience or to target a particular business sector to address a particular need.

### **3.6 Health and Safety Promotion**

- 3.6.1 Resources are focused on meeting our statutory health and safety functions and therefore any promotional activities are limited. However, the value of promotional work is recognised, and events are selected to ensure maximum impact with minimum use of resources. During 2019 officers from the Environmental Health Service attended the Woking Party In The Park and Woking's Food and Drink Festival events to carry out advisory and compliance health and safety checks at these venues.

### **3.7 Liaison with other Organisations**

- 3.7.1 The Service has various liaison arrangements in place to ensure that enforcement action taken in its area is consistent with those of neighbouring LAs.
- 3.7.2 The Service has a representative on the Surrey Health and Safety Study Group, which meets 4 times a year and is attended by the 11 Surrey LAs, as well as the HSE. This group is also attended by a representative from the Surrey Environmental Health Managers Group, enabling consistency issues to be discussed by the managers of the different health and safety services in Surrey.
- 3.7.3 Attendance at these meetings is a worthwhile activity and where demands on the service permit, an officer will attend. Arrangements are in place for referring cases to the relevant enforcing authority e.g. another local authority or the HSE, where this is necessary.

## **4. Resources**

### **4.1 Financial Allocation**

- 4.1.1 The budget for providing this service is contained within the appropriate Service Plans.

### **4.2 Staffing Allocations**

- 4.2.1 There are currently 1.15 Full Time Equivalent (FTE) posts working on Health and Safety. The officers are appropriately qualified for the work undertaken. These posts are as follows:
- Environmental Health Manager - Competent and authorised to inspect all categories of Health and Safety premises, investigate complaints and accidents (0.2 FTE)
  - Deputy Environmental Health Manager - Competent and authorised to inspect all categories of Health and Safety premises, investigate complaints and accidents (0.15 FTE)
  - Senior EHO x 2 - Competent and authorised to inspect all categories of Health and Safety premises, investigate complaints and accidents (0.4 FTE)
  - Environment Officer x 2 - Competent and authorised to investigate complaints and accidents (0.2 FTE).
  - Business Support Officer - Provides administrative support to the Health and Safety service (0.2 FTE)

### **4.3 Staff Development Plan**

- 4.3.1 All members of staff are subject to ongoing appraisal by their line manager via the PDR process, which includes a discussion on personal and professional development. This provides an opportunity to identify any training needs and arrangements can then be made to meet those needs. A record of training is made on SharePoint or the record of Continuing Professional Development of the member of staff. The Council holds the Investors in People Award.
- 4.3.2 Team meetings held on a fortnightly basis provide an additional opportunity for staff development to be discussed and training to be delivered. There is an adequate budget for staff training and attendance on external training courses will be arranged as appropriate to maintain their competency. Training provided by Chartered Institute of Environmental Health, HSE, LA's and Study Groups are recognised as good value for money and these courses are most likely to be attended.
- 4.3.3 A reference library is maintained which contains the relevant legislation, Codes of Practice, guidance and other reference material. Officers also have access to online reference material including the HSE website and HELAExtranet.

### **4.4 Quality Assessment**

- 4.4.1 Monitoring activities are documented in a Quality Monitoring Procedure and include:-
- ongoing staff PDR
  - fortnightly team meetings
  - document review by EHM
  - accompanied inspections
  - statistical performance monitoring e.g. service request, accident notifications, inspection and intervention numbers
  - Peer Review exercises co-ordinated by the Surrey Health and Safety Study Group as part of the requirements of the National Code are conducted at quarterly meetings of the Group
  - customer satisfaction surveys following health and safety inspections, in accordance with National Indicator (NI) 182
  - customer complaints procedure.
- 4.4.2 No complaints against the health and safety service were received in 2018/19. No complaints have been received in 2019/20 to date. The outcomes of monitoring activities are fed back to staff to ensure that any appropriate corrective action is taken and this is documented where possible.

## **5. Review**

### **5.1. Review Against the Service Plan**

- 5.1.1. Performance will be monitored against the objectives and standards set in the Service Plan and supporting policies and procedures at team meetings. A full review of performance against the plan will take place annually when the next year's plan is being drafted. Where variance from the plan is identified, the reasons for this will be investigated and corrective action taken as required. All policies and procedures will be reviewed annually.

### **5.2. Ongoing Areas of Improvement**

- 5.2.1. The introduction of the National Code and LAC 67/2 (rev8) has had significant impact on the provision of the health and safety service. LA's must reduce the burden on businesses and must not visit a business unless they have good reason. This makes the

service more heavily weighted on the side of reactive work rather than carrying out proactive inspections based on previous inspection risk ratings. Any planned work must be done in consideration of the National Code and visits justified. This has an impact on service planning as well as reporting of work via the LAE1. The LAE1 Return is completed and submitted to the HSE annually.

- 5.2.2. As fewer proactive inspections are being carried out and therefore less risk rating assessments as a result, there is a concern that the quality of up to date premises information within our database will be reduced. This is something that we need to remain aware of and efforts made to keep records updated where workloads and intelligence gathering allows.
- 5.2.3. The Surrey LA's have a flexible warranting arrangement where officers are able to assist and support each other when necessary, eg, where a serious incident has taken place and more resources are needed to help take witness statements etc, where another LA may have specialist knowledge in an area, eg, workplace related death investigation and where competent and authorised officers are absent eg, holiday / sickness, and less experienced staff are required to take enforcement action. We have agreed to participate in this.
- 5.2.4. During 2019/20 we received training on event safety and control and inflatables' safety, following the investigation by HSE into the collapsing of an inflatable slide at the Rotary fireworks display in Woking Park in November 2018. Due to a number of similar incidences across the UK in the last few years it is expected that inflatables' safety will be specified in the Health & Safety Executive National Plan Annex for priority targeted proactive interventions. We therefore inspected inflatables at events run on WBC owned land and also any private events where the organisers provide inflatable equipment throughout the summer of 2019. A number of non-compliances were found and rectified immediately before we permitted the inflatable to be used. It is intended to continue this through 2020 to reduce risk of public injury at events held within the Borough.

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