



DIRECTORATE OF NEIGHBOURHOOD SERVICES

THE HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2008/2009

FOREWORD

Under Section 18 of the Health and Safety at Work Etc Act 1974, the Health and Safety Executive has required the City of York Council to produce an annual service plan for health and safety enforcement.

The plan which follows sets out the aims and objectives of the service for 2008/2009, the demands placed upon the service and how available resource will be allocated to meet those demands.

1 SERVICE OBJECTIVES, AIMS AND POLICIES

1.1 Our Vision is

- To deliver the highest standards of protection of health, environmental and economic well-being to the people of York, through the provision of a quality customer focused service.

1.2 The Objectives of Environmental Health and Trading Standards Services are

- To protect residents and local businesses from unfair and unsafe practices
- To protect residents and our environment from pollution and other public health and safety hazards.

1.3 The aims of the Health and Safety Enforcement Team are:

To ensure that workplace health and safety in the City of York is given sufficient priority and seen as an essential contributor to building a safe human environment, the health and safety enforcement team (the team) aims are:

- To seek to reduce work related ill health and accidents, and to protect the health, safety and welfare of people at work and to safeguard others (principally members of the public) who may be exposed to risks from the way work is carried out.
- To carry out a series of risk based interventions in accordance with the Health and Commission's FIT 3 campaign (Fit for work, Fit for life, Fit for tomorrow), concentrating resources on the main causes of accidents and ill health at work i.e workplace transport, falls from height, contact dermatitis, stress, musculo-skeletal disorders, asbestos.
- To enforce and advise on the Health Act 2006 regarding the smoking ban in workplaces.
- To support the annual inspection programme with targeted promotional advice and educational initiatives in line with the Health and Safety Executive's enforcement strategies.

- To investigate all complaints and requests for advice promptly.
- To carry out sampling when necessary to provide accurate information to identify workplace hazards.
- To be accessible, open and fair when taking proportionate enforcement action against health and safety law offenders.
- To investigate workplace accidents and incidents promptly and efficiently and where appropriate liaise with the Health and Safety Executive and other relevant bodies.
- To promote and provide health and safety information and advice to businesses and members of the public.
- To carry out registration of premises operating skin-piercing activities as prescribed by government.
- To deal with enquiries referred by other agencies and refer enquiries to the Health and Safety Executive and to other bodies when necessary.
- To continue to work in partnership with the Health and Safety Executive and support them in any national enforcement campaigns. To this end the team has piloted a flexible warrants scheme with the Health and Safety Executive to allow officers from both enforcement agencies to deal with issues of immediate danger or ill health regardless of which is the relevant enforcement authority for the premises visited. This pilot makes the best use of the resources of both enforcement agencies and will continue in 2008/9

1.4 Enforcement Policy and Customer Contract

The team operates to a comprehensive documented enforcement policy that reflects the Regulator's Compliance Code. In addition there is a "Customer Contract" for environmental health and trading standards, which sets out our service standards.

1.5 Links to Corporate Strategy

The team's commitment of ensuring a healthy and safe workplace by the reduction of accidents and ill health due to work links to the strategy to improve lifestyles of the people who live in work. Many of the lower paid workers are more at risk from ill health such as contact dermatitis, musculo- skeletal disorders and stress. The team makes a strong contribution to public health and so has clear links to the Corporate Strategy.

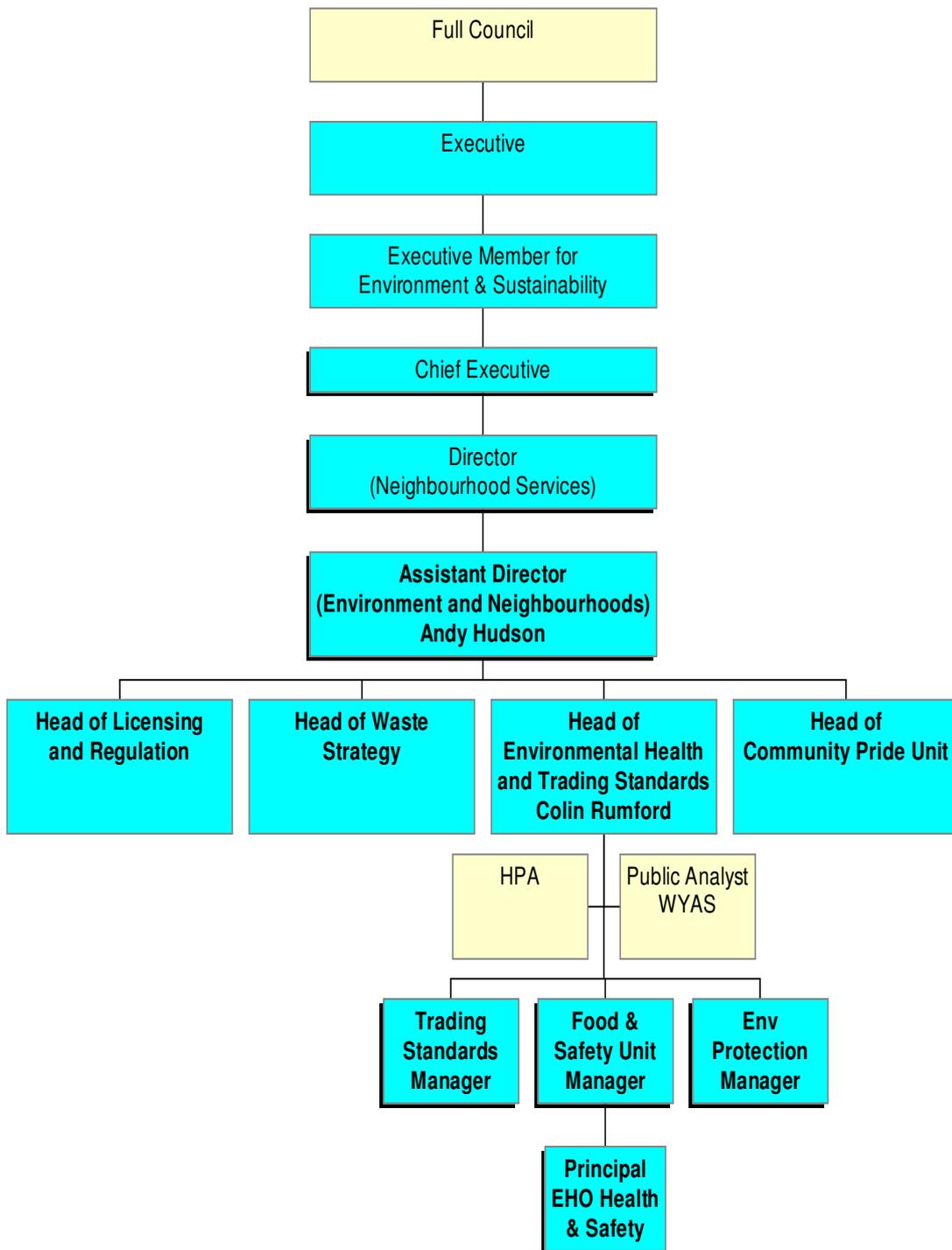
2. BACKGROUND

2.1 Profile of the Local Authority

A unitary authority with a population of approximately 184, 000 and an area of 105 square miles (27250 hectares), 60% of the electorate is based in York with the remainder resident in the outlying towns and villages.

The area is predominantly urban covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational Structure



2.3 Provision of Specialist services

- i) Asbestos sampling and other environmental monitoring is carried out in conjunction with A.H. Allen Ltd, 6 Waterside House, Maritime Business Park, Livingstone Road, Hessle, HU13 OEG
- ii) Micro-biological examination is carried out under service level agreement with the public health laboratory service (HPA) based in Leeds, eg. for swimming and spa pool water sampling.

2.4 Scope of the Health and Safety Enforcement Team

The team is part of the food and safety unit and deals with all health and safety issues in non-food and food premises. The principal and senior environmental health officer will undertake a programme of health and safety inspections and investigations in response to complaints and accidents. In addition to its enforcement role, the service also provides information and advice to members of the public, businesses, professional bodies and organisations. It provides education, training and a variety of promotional work.

2.5 Demands on The Health and Safety Enforcement Service

The Local Authority enforced sector comprises mainly catering, retail, wholesale, offices, leisure, catering, places of worship and premises including hotels and guesthouses and residential care homes.

An external factor impacting on services delivery is the large number of visitors who use the City's facilities.

2.6 Service Delivery Point

The service is delivered from a single office based in De Grey House, Exhibition Square, York. The hours of operation are 08:30 -17:00 Monday to Friday although officers work "out of hours" when the nature of the work dictates.

3 PLANNED ENFORCEMENT ACTIVITY

3.1 Programmed Health and Safety at Work Premises Inspections

The team aims to inspect premises in accordance with a risk-based programme. However, the inspections are centred on those activities in the workplace that the HSE have identified as contributing nationally to the highest rates of accidents/incidents and ill-health at work in accordance with the Health and Safety Executive FIT3 Strategic Delivery Programme (Fit for work, Fit for life, Fit for tomorrow). This programme is based on analysis of injury and ill health generation across known hazard and sector hotspots in businesses, large and small. The key topics are, workplace transport, falls from height, slips and trips, musculoskeletal disorders, work induced stress, noise at work, contact dermatitis, occupational asthma and asbestos. In adopting the topic inspection approach, the team will maximise its resources by focusing on these areas rather than completing all-

encompassing inspections. The inspections are carried out in accordance with the team's quality management system (QMS) procedural documents for health and safety enforcement.

In addition, the team will carry out project work in partnership with HSE and North Yorkshire Local Authorities. Topics this year will include:- Stress, dermatitis, slips trips and falls, moving goods safely and management of asbestos.

The total number of Health and Safety premises in City of York at 1 April 2008 was 4,894. These premises fall into 3 categories, made up of 6 groups in total.

Type	Number of premises	Inspections in work plan
High Risk Category A	1	2
Medium Risk Category B1	586	80
Category B2	427	0
Category B3	1648	0
Category B4	164	0
Low Risk Category C	2055	0

- Premises will be inspected in accordance with the FIT3 strategic delivery programme. However, only A and B1 premises will form part of the programmed inspection plan. The remaining premises will be the subject of alternative enforcement strategies such as questionnaires and mailshot information based on the Fit 3 strategy.
- The remainder of the teams work will be based on project work on the Fit 3 principles and Partnership projects that will be carried out across all of the above categories being based on business activity. This year these will include:- slips trips, falls in catering industry, dermatitis in catering, moving goods safely in the retail and wholesale sector, asbestos management and stress in the financial sector.

Comments on Past and Projected Performance

In 2007/08 the team achieved the total number of programmed A-risk inspections (4) and B1 inspections (42), thus meeting the local performance measure for those categories of premises.

The Health and Safety Executive has directed Local Authorities away from programmed inspection to interventions based on FIT 3 principles and to carry out joint project work as part of the Partnership. The priority rating system as detailed in Local Authority Circular 67/1 is to be revised by the Health and Safety Executive in October 2008 and it is expected that there will be a move away from a rating system in favour of FIT 3 topic based inspections.

In 2007/08 153 Fit 3 inspections were carried out in retail, wholesale sectors, catering premises and hair and beauty premises

The major project of 2006/07 was The Safer Working Community project. Environmental Health Officers and HSE arranged a week of awareness training events , backed up by inspection and enforcement.

Due to the success of this project in 2007/2008, The York Health and Safety Forum was set up in partnership with the Health and Safety Executive. This forum is offered to all businesses in the York area and meets four times a year. The launch consisted of a workshop where businesses were asked to discuss the areas where greater Health and safety training was needed. Speakers from both HSE and CYC present seminars on topics that have been selected by businesses

This forum has been very well attended and has proved popular with businesses. It is also a very useful platform for HSE and CYC inspectors to convey the messages on the Fit3 topics.

Another joint project that is still ongoing has been a series of inspections of hairdressers, concentrating on preventing contact dermatitis that is a major cause of ill health and time off work in this industry. 33 premises have been inspected and advice has been given in preventing this occupational condition of the skin.

3.2 Other planned enforcement and advice work

As in 2007/2008, the team will align its proactive work to the HSE priority areas

In line with the FIT 3 Strategic programme, the team will carry out a series of projects in Partnership with the Health and Safety Executive:

- Prevention of contact dermatitis in hairdressers/florists/funeral directors/contract cleaners/caterers. Contact dermatitis is a major cause of sick leave in these industries, and HSC are determined to see a reduction in its incidence.
- A series of inspections to examine how businesses are managing asbestos in their buildings. Asbestos related diseases are a major cause of death and ill health and new regulations are now in force for employers to manage asbestos in their premises. Although initially this project will be an educational one, enforcement action will be taken for those businesses that fail to manage asbestos in their buildings.
- Stress in the Financial Sector. York is the lead authority for Norwich Union. Stress is a major cause of time off work in the Financial Sector. Work will continue with Norwich Union to improve their performance in this area.
- Smoking in work premises – Under the Health Act 2006, from 1st July 2007, smoking was banned in enclosed public places and workplaces. The team will be carrying out visits to advise businesses on their obligations and advise where necessary.

3.2.1 Advice to Businesses

The team provides all reasonable support and assistance to businesses operating or intending to operate in the area.

The team acts as home authority on health and safety for Norwich Union, providing advice which is disseminated to the Company's other UK offices.

Increased publicity and regular contact with small business organisations will continue through 2008/09

4 REACTIVE ENFORCEMENT ACTIVITY

4.1 Formal Action Taken

The following table summarises the level and types of formal enforcement action taken in the previous year.

TYPE OF ACTION	NUMBERS TAKEN / ISSUED 2006/7	NUMBERS TAKEN/ISSUED 2007/8
Prosecution	0	0
Formal Caution	0	0
Prohibition Notice	2	2
Improvement Notice	5	15

4.2 Health and Safety Complaints/Service Requests

During 2007/8 the team received 491 complaints and service requests of all types.

It is estimated that future demands on the team are likely to increase as a result of growing awareness of health and safety awareness of health and safety at work amongst our customers resulting in an increase of the number of complaints and service requests

4.3 Reports of Accidents and Dangerous Occurrences

The team receives reports of accidents and dangerous occurrences from a variety of sources and is required to access the RIDDOR reporting centre at Caerphilly for notifiable injuries within the City of York Council area. Some of these reports are statutory notifications required to be made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

In 2007/8 the team received 322 statutory notifications including 1 fatality.

4.4 Notification of Work with Asbestos

The team receives notification of asbestos removal work, which requires site meetings in order to ensure compliance by asbestos removal contractors with all relevant health and safety legislation.

During 2007/2008 the team received 3 notifications and a similar figure is estimated for 2008/9. The team received 39 requests for advice on asbestos from the general public in this period. The unit also received 117 Licensing Act applications.

5 OTHER AREAS OF SERVICE DELIVERY

5.1 Partnership Working

The team aims to continue its role in providing a more holistic approach to health and safety, by ongoing partnership working with other organisations including the HSE, Commission for Social Care Inspectorate, the York Hospitality Association and other business organisations.

City of York Council supports the principle of lead authority and has signed up to a partnership agreement with Norwich Union.

6 REFERRALS TO AND LIAISON WITH OTHER AGENCIES

6.1 Liaison with Other Organisations

It is the policy of the team to take all reasonable steps to ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities. Various methods will be adopted to facilitate this including benchmarking and liaison with:-

- The Health and Safety Executive Local Authority Unit
- North Yorkshire health and safety liaison group
- North Yorkshire chief officers training group
- North and West Yorkshire health and safety local authority liaison group
- North Yorkshire fire and rescue
- North Yorkshire police
- Planning/building control/licensing

6.2 Referrals to Other Organisations

Where the team receives a health and safety related service request that does not fall within its enforcement area it will refer the person concerned to the correct body or forward the request to the relevant authority within one working day of receipt.

7 RESOURCES, THEIR USE AND DEVELOPMENT

7.1 Financial Allocation

The overall level of financial allocation to health and safety enforcement activity for the year 2005/2006 is as follows.

	Actual 2007/8 £k	Estimate 2008/9 £k
Staffing Costs (inc direct employee expenses)	71.4	84.2
Support Costs	38.5	39.5
Supplies & Services (inc transport)	2.6	5.3
Income	-3.2	-1.5
Overall Expenditure	109.3	127.5

7.2 Staffing Allocation

Health and safety enforcement is led by one full time principal environmental health officer under the overall supervision of the food and safety unit manager.

In addition there is 1 FTE senior environmental health officer carrying out all functions relating to health and safety in those premises for which the team has responsibility. However, in 2007/8 this post was vacant for 6 months due to the resignation of the previous officer. The difference between 07/08 actual staffing costs and 08/09 relates to vacant post for part of 07/08.

7.3 Staff Development Plan

The training development needs are identified both on an ongoing basis and by annual review. This is supplemented by:

- Attendance on seminars/courses. The Partnership working with the Health and Safety Executive has resulted in a considerable amount of training provided by HSE Specialist Inspectors
- In-house training on specific issues
- Cascade training by staff who have attended relevant courses.