

# Crawley Borough Council

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## Report to Licensing Committee

3<sup>rd</sup> September 2008

### Approval of the Health and Safety Service Plan 2008 – 2009

#### 1. Summary

- 1.1 The Health and Safety Commission (HSC) require all Local Authorities to create a service plan to set out how their statutory obligations concerning health and safety will be discharged.
- 1.2 One of their functions is to monitor the performance of Local Authorities' enforcement of Health and Safety.
- 1.3 Revised guidance under section [18] of the Health and Safety at Work etc Act 1974 indicates Local Authorities should produce a health and safety service plan, which must be "drawn to the attention of Members".
- 1.4 The objective of this report is to meet this requirement.

#### 2. Recommendations

- 2.1 To approve the contents of the Health and Safety Service Plan.

ANGELA TANNER  
HEAD OF ENVIRONMENTAL SERVICES

### **3. Background**

- 3.1 The Health and Safety Commission was created by way of the Health and Safety at Work etc Act 1974. The Commission was created to oversee and develop health and safety enforcement within Local Authorities and Central Government.
- 3.2 One of the Commission's functions is to monitor the performance of Local Authorities' enforcement of health and safety. New guidance has recently been issued to 'revitalise' health and safety enforcement and close working between the Health and Safety Executive (operational arm of HSC) and Local Authorities has been strongly encouraged.
- 3.3 One requirement of the framework agreement is to produce a health and safety service plan, which must be "drawn to the attention of Members".
- 3.4 It has been agreed that the process used for Crawley Borough Council will mean that the Health and Safety Service Plan will first be considered by the Portfolio Holder and then the final draft presented to the Licensing Committee. This should enable us to meet this requirement effectively

### **4. The Health and Safety Service Plan**

- 4.1 The layout and contents of a Health and Safety Service Plan (Appendix A) follow the model of the Food Safety Plan due to the close working relationship between the officers carrying out this work.
- 4.2 Crawley Borough Council's Plan has been produced to meet the HSC requirements. A copy has been placed in the Members' room. It is also available on the Document Management System (DMS).
- 4.3 The Plan looks back over the previous year (i.e. 1st April 2007 – 31st March 2008) then forward to the coming year (i.e. 1st April 2008 – 31st March 2009)
- 4.4 Having reviewed the process, it has become evident that it is not practicable to achieve approval of the Plan in April, when the collation of statistical data for the Food Standards Agency commences: other information, such a last years' figures for resources, is not available until mid May each year. This being the case, next year we will look to run the plan from 1st July to 30 June.

### **5. Staffing, Financial and Legal Implications/Powers**

- 5.1 None in respect of the Plan, which solely collates existing information and plans.

### **6. Other Implications**

- 6.1 The Health and Safety activities undertaken by Crawley Borough Council make a key contribution to the objectives of the West Sussex Local Area Agreement in the following manner.

Outcome 4: Improve workforce skills.  
 Outcome 5: Reduce accidental death and serious injury.  
 Outcome 11: Promoting health.

## 7. Links to the Community Strategy and Corporate Plan

7.1 The proposals contained in this report relate to the following key areas of the Community Strategy

Local Economy	y	Health and Social Care	y
Affordable Housing		Community Safety	y
Lifelong Learning	y	Local Environment	

The following key principles are applicable:-

(i) Working together	y
(ii) Dignity, respect and opportunities for all	y
(iii) Leaving no-one behind	y
(iv) Making it last	y

This report achieves the following aims as set out in the Corporate Plan

Providing high quality services	y	Giving exemplary customer service and satisfaction	y
Being financially efficient and well managed	y	Developing motivated, positive and empowered staff	y

## 8. Reasons for the Recommendation

8.1 By noting the contents of the report, the requirements of the Health and Safety Commission can be met.

## 9. Background Papers

None to compile this report: other references are within the Plan itself.

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**APPENDIX A**

**(ES/185)**

**Crawley Borough Council**

**Environmental Health**

**Health and Safety Service Plan**

**2008-2009**

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## Introduction

This Service Plan has been developed to meet the requirements of the HSC, which sets the standards required of enforcement bodies through Section 18 of the Health and Safety at Work etc. Act 1974. This legislation places a legal duty on Crawley Borough Council to provide an enforcement service. We are obliged to ensure that the 2386 premises within Crawley and Gatwick which fall to us to enforce, comply with current occupational health legislation.

Our service plan is important, as it is one of the ways in which Crawley can show that it is meeting the required standards. In addition to any audits carried out by the external bodies Crawley also participates, with other local authorities in West Sussex, in inter-authority audits conducted against the standard. One of these reviews was carried out on 28 November 2003. A Best Value Review was also carried out on the Environmental Health Service in May 2004. The improvement plan will run for 5 years. Many of our projects for the Health and Safety service will contribute in the coming year to meet the requirements of the action plan.

This Health and Safety Service Plan should not be seen as a stand-alone document. It should also be read in conjunction with Crawley's Community Strategy, Corporate Strategy, the Environmental Health Service Best Value Review, Environmental Health's Enforcement Policy and the Council's commitment to the Enforcement Concordat. It should also be reviewed in the context of cross-cutting issues at Crawley, particularly health and social care, community safety, lifelong learning, and economic development. These arrangements reflect the strong support by Councillors for the maintenance and improvement of Crawley's Health and Safety service within environmental health.

Health and safety interventions in the workplace are a key area in which effective measures can be taken to protect and improve the health of large numbers of people who live and work in Crawley or travel to work in the Borough. The contribution to public health therefore extends beyond Crawley and may play an important part in improving the health of the working population in the South East Region overall.

The scope of health and safety interventions are clearly aligned to solid evidence detailing the most serious and frequently occurring accident and occupational health related illness which is collected at both national and local level. This is in keeping with the requirements of the Regulators Compliance Code published by the Department for Business Enterprise and Regulatory Reform.

Furthermore, the Health and Safety Plan makes a significant contribution to the Crawley Borough Council inputs into the West Sussex Local Area Agreement through:

- Reducing accidental death and injury (Outcome 9).
- Promoting health (Outcome 11).

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

### **1.1 Statement of Aims and Objectives**

Aims: to safeguard the public by ensuring that:-

- Owners/proprietors of businesses and their staff understand and comply with their legal obligations to protect their employees and those affected by their work activities
- Premises meet the legal required Health and Safety (at a minimum) standards in terms of structure, management and practices;
- Businesses have access to Health and Safety support, advice and information in order to encourage them to be self-regulating, self-auditing and aspiring to best practice;
- Complaints and concerns are dealt with fairly and promptly and that information is made available to trade and other customers;

### **Objectives**

- To carry out Health and Safety inspections in accordance with the current guidance issued by the Health and Safety Commission (HSC) and HELA and specifically:-
  - (a) To draw up a programme of inspections based on the risks posed and to achieve 100% of that inspection programme. This year this requires inspections of 152 premises. Further to improving the UNIFORM database we will also be undertaking interventions in premises without current risk ratings and catching up on inspections missed in previous years which were undetected.
  - (b) To achieve an inspection rate of 100% of risks classes A – B3 of the total number of Health and Safety inspections of premises in the borough each year and inspection rate of at least 90% for risk classes B4 – C.
- To provide advice and information to Health and Safety businesses.
- To facilitate and/or provide Health and Safety training/courses and encourage businesses to participate.
- To promote good practice more widely through contribution to primary care trusts and the West Sussex Health Improvement Plan, following the lead of Central Government new White Paper on Health to ensure health and safety at work is fully aligned to the Local Area Agreement objectives in promoting and protecting public health. This includes promotional campaigns such as European Health and Safety Week.
- To carry out a programme of sampling swimming pool and spa water on an annual basis based on risk.
- To respond to complaints about, unsatisfactory working conditions and unsafe practices in businesses and where appropriate, respond in partnership with colleagues in other agencies, such as the police and Health and Safety Executive, to achieve a seamless service to customers.

- To respond to all complaints ideally within 3 working days and to reconcile complaints within no more than 120 working days from receipt depending on the type of complaint. (See Section 5 for details of our standards of service.)
- To investigate formal notifications of accidents, disease, and dangerous occurrences and to take all necessary measures so as to prevent a recurrence. We will consult with the appropriate agencies, including the police, Health, and Safety Executive (HSE). We will aim to respond immediately to work related fatalities.
- To deliver all of our services to a high standard
- To follow HSE and HELA guidance
- To inform and advise our customers (both in business and members of the public) and be a key contributor to the Local Area Economic Action Group.
- To participate in HSE initiatives as part of the 'Revitalising Health and Safety Campaigns' to build on topic based inspection.
- To explore the creation of a holistic work place health and safety award scheme which will include other environmental impact assessment.

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

The Health and Safety Service is a key document within the Public Health Strategy and operates within Crawley's Community Strategy and Corporate Policy<sup>1</sup>. It is integrated into the key themes from the strategy that the Council has chosen to focus on, including:-

Our Communities: Safe healthy, cohesive and enjoyable

- Working for better health and health care. (Priority 2).

Our Economy: Thriving, vibrant and prosperous.

- Developing a sustainable local economy where a diverse range of local, regional and national interests flourish.

Our Council: Of which we can be proud.

- Delivering value for money services (Priority 10).
- Peak performing people (Priority 11)
- Creating a culture of efficiency and the habit of success (Priority 12).

The Health and Safety Service will strive to achieve these Council priorities by:-

- Working efficiently to continue to make the best possible use of resources.
- Working in partnership with other organisations.

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<sup>1</sup> See Appendix A to show the integration of the various strategies.

- Implementing Crawley values to best service systems of the Borough.
- Working to achieve the Council's principles for sustainability.
- Being aware of cross-cutting issues and actively seeking to improve communication within the Council.
- Ensuring our activities are effective and well targeted to provide fairness to commerce and protection to the public and those at work by taking proportionate action at all times.

The Service has also been tested and audited against the Best Value scheme and has an improvement plan, which was approved by the Council in August of 2004.

## **2. Background**

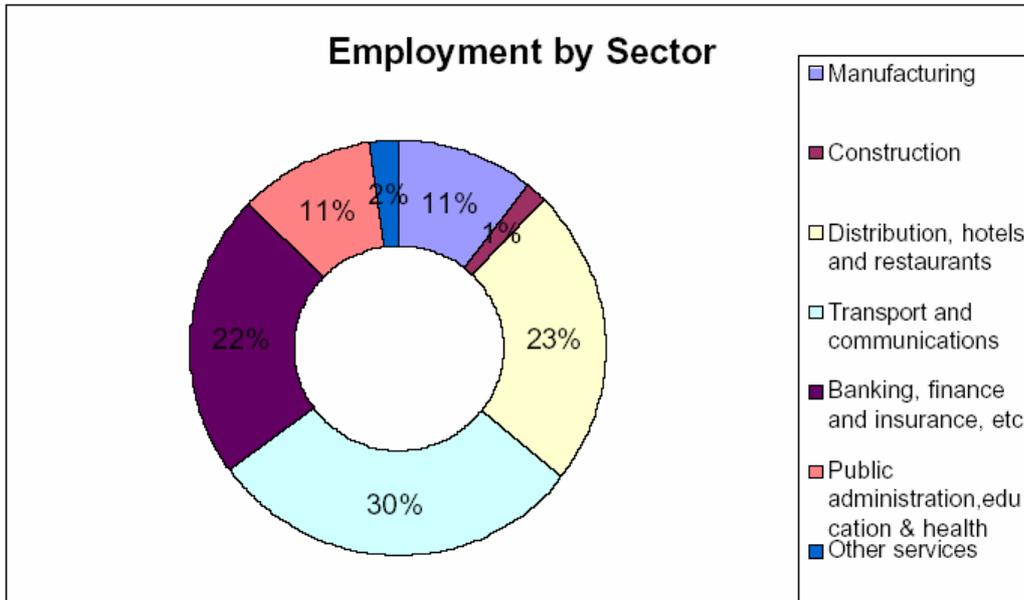
### **2.1 Profile of Crawley Borough Council**

Situated in West Sussex, halfway between London and Brighton, Crawley has slightly below 100,000 residents. Whilst only covering a small part of West Sussex, Crawley provides a large proportion of the total production of the region. Generally, there is a youthful disposition to the population, thus vulnerable groups tend to be children, rather than the elderly.

Businesses in the Crawley Borough Area subject to our enforcement broadly comprise the following:

- A full range of retailers in the town centre,
- A town centre market, held on Fridays and Saturdays.
- Smaller restaurants and food retailers in the neighbourhood parades,
- Food manufacturers in the outlying industrial estates
- Food venues at the Airport.
- Large hotels serving the Airport: despite being home to Gatwick airport, there are relatively few small hotels and B&B in the area, as Crawley is not generally considered a holiday destination in itself.

The graph below shows the spread of this employment. 75% of employment falls into three sectors of which 23% are distribution, hotels, and restaurants.



Source: Annual Business Inquiry

We are aware that many local people are employed in the Borough and it is noted that Crawley has the highest number of adults with very low literacy skills in Sussex. In addition, Crawley has a diverse range of cultures and languages spoken, as can be seen from the table overleaf. We have a larger ethnic minority population than average for England and the South East Region. The largest proportions are from the Asian/Asian British Indian and Asian/Asian British Pakistani groups.

This requires consideration when carrying out inspections, education, and enforcement, bearing in mind the Council's commitment to equal opportunities for all.

	England	South East Region	Crawley
All people (number)	49,138,831	8,000,645	99,744
<i>Percentage of people in ethnic groups:</i>			
White: British	86.99	91.30	84.50
White: Irish	1.27	1.03	1.31
White: Other White	2.66	2.77	2.72
Mixed: White and Black Caribbean	0.47	0.30	0.34
Mixed: White and Black African	0.16	0.12	0.23
Mixed: White and Asian	0.37	0.37	0.46
Mixed: Other Mixed	0.31	0.28	0.34
Asian or Asian British: Indian	2.09	1.12	4.40
Asian or Asian British: Pakistani	1.44	0.73	3.00
Asian or Asian British: Bangladeshi	0.56	0.19	0.15

Asian or Asian British: Other Asian	0.48	0.29	0.77
Black or Black British: Caribbean	1.14	0.34	0.30
Black or Black British: African	0.97	0.31	0.73
Black or Black British: Other Black	0.19	0.06	0.08
Chinese or other ethnic group: Chinese	0.45	0.41	0.31
Chinese or other ethnic group: Other ethnic group	0.44	0.37	0.34

Source: Census 2001, Crown copyright

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## 2.2 Organisational Structure

### Council Structure

Crawley Borough Council operates a Cabinet system: The Portfolio holder for the Health and Safety Service is Councillor Keith Blake. Decisions about how services in Crawley are delivered are made by Members through Committee Meetings. The Council employs around 800 people in four Directorates and fourteen Divisions. The Council's Vision is **"a town in which people take pride: prosperous and safe where value for money services contribute to a high quality of life and environment, with opportunities for all."**

The Council's activities are divided as follows:

The Chief Executive is Lee Harris.

Responsibilities:

- Policy and Performance
- Legal and Democratic Services
- Communications

The Director of Environment & Housing is Peter Browning

Responsibilities:

- Planning Services
- Environmental Services, which includes the Health and Safety service
- Housing

The Director of Community Services is Phil Rogers

Responsibilities:

- Amenity Services
- Arts
- Community Services

The Director of Resources is David Covill

Responsibilities:

- Finance
- Information Communications Technology
- Property Services & Procurement

- Customer Services
- Human Resources

The description of the current approved structure is contained in the Council's Constitution<sup>2</sup>.

## **Organisation Arrangements for the Health and Safety Service**

The Health and Safety service is provided by officers within the Food, Licensing and Occupational Health Team. This team covers:

- Food related issues, including infectious disease control and the Imported Food Office at Gatwick.
- Licensing, including vehicles and drivers for hackney carriages and private hire, licences under the Licensing Act 2003) street trading and collections, sex establishments, skin piercing, dangerous wild animals, zoos, animal boarding and breeding etc.
- Occupational health related issues, including all businesses within Local Authority enforcement in Crawley and the neighbourhood, the industrial estates and Gatwick airport.

A diagram showing the way that the Health and Safety team work with the Food, Licensing and Occupational Health Team can be found in Appendix B.

A number of key liaison groups have been identified, for attendance by the group.

- Sussex Health and Safety Liaison Group: Petra Gallagher, Simon Cole, Paul Willis.
- Team meetings, for the Food, Licensing and Occupational Health. held on a monthly basis. These include training sessions on procedures and legislation.

## **Training and Qualifications**

Appropriate proof of qualification is required for the appointment of the post. Ongoing training for all officers is collated and monitored, in line with the current guidance. This information is reviewed by the group manager, during the corporate appraisal process. A training needs analysis is carried out and a training plan produced for each officer<sup>3</sup>.

## **Use of Specialist Services.**

Samples and exhibits can be sent to the Public Analyst (Hampshire Scientific Services, Southsea or Eurofins) in accordance with our procedure, as attached as Appendix C.

## **Vacant Posts and Use of Contractors**

Where possible vacant posts are filled using temporary contracts. Contractors may also be used to free time for specialist officers.

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<sup>2</sup> See Intranet documents.

<sup>3</sup> Training plans are attached to each officer's annual appraisal.

Contracts are selected in line with the Council's procurement policies and procedures. Once appointed, the contractor's original work is vetted by the Group Manager and a 5% of revisits arranged to check the quality and efficiency of the actual inspection, by a member of the Health and Safety team. Any major variations in premises scores (before and after the contractor's inspection) are investigated with contractor or appointed Contract Manager.

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

The following activities form the scope of Crawley's Health and Safety Service:

- Inspection of business premises under the Health and Safety At Work etc Act 1974 and Associated Regulations.
- Inspection following initial registration of a business for the first time.
- Responding to complaints of unsafe premises and practices. In certain cases, it may be more appropriate for an officer from the Health and Safety Executive to investigate the complaint. Liaison arrangements exist so that no matter which service receives the complaint in the first instance, it is speedily transferred to the service that has the best possibility of a thorough investigation. This has been facilitated through the East and West Sussex Health and Safety Liaison Group.
- Advice and support to businesses either during inspection on request, and where proprietors are considering starting a new businesses.
- Advice to customers on health and safety related legislation, best practice, current media concerns, and similar issues (this would include reactive advice and proactive work such as news releases, promotional activities, etc.)
- Enforcing Health and Safety legislation in accordance with the environmental health enforcement policy/enforcement concordat. This ranges from informal written warnings through to service of improvement notices, voluntary and emergency prohibition (closure and sundry premises), etc., to prosecution in court (or a formal caution, depending on the circumstances of the offences).
- Provision or arrangement of training, as dictated by demand as part of a themed promotion/introduction in legislation.

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

In addition to this core work, the Health and Safety Team are also a Responsible Authority as defined by the Licensing Act 2003. Officers from the team assist in processing premises licence applications, temporary event notices and variations made under the LA03 concerning licensed premises, prior to the licence being issued. In addition to regulated entertainments officers from this team also deal with other licence matters pertaining to health and safety as defined relating to infectious disease and animal welfare as defined below.

- Regulated entertainments, which range from live music in licensed premises to sporting events. Officers also assist in controlling any vicarious liability the Council attracts through holding events on Council owned land through

assisting organisers of large events such as the Irish Festival and Dragon Boat Race (the former taking several months planning and liaison).

- Animal boarding and breeding, zoos and dangerous wild animal, which include elements of animal welfare
- Skin piercing, acupuncture and tattooing, which involve public health issues of preventing blood borne cross infections.

## 2.5 Enforcement Policies

Crawley endorsed its commitment to the enforcement concordat in December 2001. The enforcement of health and safety is also carried out in strict adherence with the Statutory Code of Practice for Regulators.

The Environmental Health Services has a generic enforcement policy used by most of the service including the Health and Safety service. We have also developed a more specific procedure to implement the policies, by creating an Environmental Health “Enforcement Review”. This hearing comprises the Head of Service, Solicitor to the Council and case officers.

Offences are presented as a case file to the Head of Service, by the investigating officer. The matter then receives an objective review. The respective case officer completes the details of their opinions and investigation and forwards it to the Head of Service. The Head of Service or their deputy then holds a case conference with a legal advisor in attendance and then records the reason for their decision. This is within the parameters of her delegated powers.

Crawley has also adopted a formal complaints procedure, whereby any customer aggrieved by our processes or decisions can have the case examined.

There are also opportunities for “informal” complaints to be raised via our customer survey forms.

## 3 Service Delivery

The HSC have provided guidance in respect of a minimum inspection frequency for Health and Safety premises. The Council’s policy is to complete 100% of the inspections within the given timescales.

### Premises Profile in Crawley

The table below shows the FSA categories for inspection frequencies.

Risk Rating	Points Range	Minimum Frequency of Inspection
<b>A</b>	> = 186	Not less than once per year
<b>B1</b>	171 - 185	Not less than once per 18 months
<b>B2</b>	156 - 171	Not less than once per 2 years
<b>B3</b>	141 - 155	Use other intervention strategies but review rating after 3 years
<b>B4</b>	126 -140	Use other intervention strategies but review rating after 5 years
<b>C</b>	< = 126	Use other intervention strategies.

It is only possible to estimate the number of programmed, risk based inspections, as new businesses open and others close down. However, at April 2008, we are able to estimate that 152 premises will need to be inspected.

The table 1 below shows the number of premises in Crawley, according to their use class. Table 2 below shows risk ratings for the said premises for the coming fiscal year that will subject to inspection or alternative enforcements.

<b>Use Class</b>	<b>Number</b>
Retail Shops	476
Wholesale shops, warehouse and fuel stores	174
Offices	596
Catering, restaurants and bars	355
Hotels, camp sites and other short stay accommodation	22
Residential care homes	20
Leisure and cultural services	65
Consumer services and membership organisations	121
Other premises	25

### **Table 1**

Inspections due by risk rating 2008-2009

<b>A</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	<b>C</b>
9	17	16	15	26	69

### **Table 2**

These risk based inspections form only part of our contact with businesses to ensure occupational health and safety standards are maintained. A range of follow up actions is used, bearing in mind the limited resources available to the team. Based on previous years' performance around 15% of initial inspections will give rise to revisits. A summary sheet of the action taken is left at the time of the visit for all risk based inspection and, if the works required are more complex, a letter confirming the actions to be completed will be sent.

In addition to the programmed inspections, the Health and Safety Team also deal with complaints made by members of the public or other businesses. The Corporate quarterly reports complaints/requests for service response performance for the Environmental Health Service as a whole, including where a Health and Safety element is involved.

## **Operation Times**

The Health and Safety Team are part of the Environmental Health Service which operates from the Crawley Borough Council Town Hall.

The Town Hall is open Monday to Thursday 08:45 - 17:20, Friday 08:45 - 16:20. However, a flexitime system is worked and officers are able to work 07:00 -19:00 accordingly. A duty rota is worked to ensure cover is also available for the office during opening times.

The emergency response for out of hours problems, such as Health and Safety work related fatalities, would be dealt with initially by the Town Hall emergency operator. The options available to the operator include access to a team of Environmental Health Practitioners who operate an out of hours call service or in serious instances, the Head of Environmental Services or Group Manager Food Licensing who are both qualified Environmental Health Officers.

### **3.1 Health and Safety Premises Inspections**

The Environmental Health computer system (UNI-form) is one used by many local authorities. It contains details of the business premises registered in Crawley. It is also used to generate the risk based inspection programme, to record key details regarding inspections and actions. This information is then used to complete the HSC statistical returns.

The inspection programme is based on the risk rating of the premises and the challenges set by the Revitalising Health and Safety Initiative. This highlights the premises which are due to be inspected according to the perceived risk. To this list are added any premises not inspected in the previous year, new premises not previously risk rated and other premises which the Health and Safety Team feels should be included, based on local feedback.

The full list is drawn up by the Group Manager and the members of the Health and Safety Team. The allocation of the premises to individual team members is determined by its location in the borough. The Borough has been split into 4 areas for which one of the, each sector having an Environmental Health Officer and Senior Health and Safety Enforcement Officer assigned to them. Gatwick Airport is divided into North and South Terminal and operates in a similar fashion.

Monthly checks are made of progress against the planned inspection programme by the Group Manager at team meetings and there is an annual return made to the HSC. Crawley also has a local performance indicator which reflects the HSC indicator.

The Council's policy is to complete 100% of inspections of premises due an inspection, in accordance with the HELA risk rating system. This year 2008-2009, this will require 152 programmed premises inspections. The UNIFORM database has been cleansed for spurious records and searched for missed inspections and premises without rating scores. This has revealed a potential further 100 required interventions which will also be phased in during the coming year.

The budget for the Health and Safety Service is shown in section 4.1 below and staffing to be provided is detailed in the table in point 4.2.

### 3.2 Health and Safety Complaints

All Health and Safety complaints, including complaints investigated by staff based at the imported food office are entered into the UNIFORM computer system. They are then allocated on a location basis as described above, in accordance with the current procedure.

- The estimate of resources required for complaints is based on the previous years' trends. Complaints received are grouped as follows:

Uniform Code	Description
HSWCOM	Comfort and welfare
HSWLPG	Liquid petroleum gas
HSWOVE	Overcrowding
HSWSAF	Safety
HSWSHP	Shops act
HSWUNS	Unspecified

### 3.3 Lead Authority Principle

The Environmental Health Service supports and endorses the Lead Authority scheme, but has no formally adopted lead authority status with businesses in the area.

### 3.4 Advice to Businesses

Advice to businesses and customers is viewed as an essential part of the Health and Safety service plan and includes advice for new businesses. Those wishing to discuss their plans to set up or alter the nature of their businesses are given free advice on standards and best practice.

We also support "business breakfasts" provided by the local Chamber of Commerce, to increase awareness of our advisory role.

### 3.5 Health and Safety Sampling

A Health and Safety sampling project undertaken in 2007-2008 will be repeated in 2008-2009 looking at the microbiological quality of recreational waters. Sampling costs will be met from the allocation given to Crawley by the Health Protection Agency.

Three laboratories are used by Crawley:

- Hampshire and Kent Scientific Services (as Public Analysts) and
- Eurofins (as Public Analysts)
- Sussex & Surrey Environmental Microbiology Service (as the Public Health Laboratory Service.)

See Appendix. C for details.

### **3.6 Investigation of Accidents, Work Related Disease and Dangerous Occurrences.**

Certain types of accidents, diseases and dangerous occurrence must be notified to the enforcing body. This is required under the Reporting of Injuries, Disease and Dangerous Occurrences Regulations. A central agency receives all such notifications and allocates them to the appropriate enforcing body. This year in Crawley 265 accident notifications were received:

It is not always appropriate to investigate a reported accident; in the case of a minor accident at a business that has been recently inspected, for example. In addition, some accidents are reported, but are not technically "notifiable" under regulations. Having reviewed the report from last year, we have identified that a number of large retail outlets are reporting many incidents affecting customers which are not technically notifiable. An incident sorting methodology will be developed to improve the selection of what incidents are investigated in 2008-2009 as a part of the work of the Sussex Health and Safety Liaison Group that Officers from this team attend.

### **3.8 Liaison with Other Organisations**

Our main links with other organisations are through the Police (especially where there is a fatality) and the Health and Safety Executive, with whom we share enforcement responsibilities. The HSE and Local Authorities enforce the same legislation, but in different businesses. This year the HSE is actively seeking to work in partnership with Local Authorities. At Crawley, we are liaising with local HSE officers to carry out joint projects. A major project is scheduled for September 2008 in conjunction with the Health and Safety Executive at Gatwick Airport. This project will cover the following areas;

Slips and trips arising from cleaning operations and wet floors  
Accidents and dangerous incidents related to cleaning airside and landside.  
Migrant workers.  
Musculoskeletal disorders caused due to working practices.

Crawley Borough Council also plays an active part in the East and West Sussex Health and Safety Liaison Group

Crawley Borough Council pioneered a project concerning high level cleaning in food businesses and conducted an inspection programme concerning work at heights and the exposure of handy men in the hospitality trade in 2006 and shared this work with the Health and Safety Liaison Group.

### **3.9 Health and Safety Promotional Work**

The Health and Safety Team co-ordinate their promotional activities within the team. Where training requests are received from customers, they are dealt with in a variety of ways:-

- Passed on to neighbouring authorities who regularly run Health and Safety courses.

The team also participates in campaigns, including:-

- Health and Safety Week

- Career days at Thomas Bennet Community College.

## 4. Resources

### 4.1 Financial Allocation

As described above, the current budgetary arrangements have been reviewed. The budget available to the Health and Safety Service is as follows:

<b>Totals allocated proportionally to the Health and Safety Team (C1022) for -06-07</b>	<b>£</b>
Employee Costs	<b>127,460</b>
Operating Costs	<b>13,660</b>
Contract Costs	<b>460</b>
Recharges	<b>73,140</b>
<b>Total for operational</b>	<b>214,720</b>

### 4.2 Staffing Allocation

Each of the officers carrying out the Health and Safety function also carry out other duties. Only a percentage of their time is therefore spent on Health and Safety. The table below shows the full time equivalent post (i.e.37 hours a week), to be spent by the types of officers in the team. Figures have been rounded up to a % of a full time equivalent post.

<b>Type of officer</b>	<b>% of a full time equivalent post</b>
Other management <sup>4</sup>	10
Group Manager	20
Health and Safety Enforcement Officer (x 2)	85*
Environmental Health Officer (x 2)	30
Technical Support Officer	30
Senior Environmental Health Officer (x 3.5)	35

\*1 Health and Safety Enforcement Officer is the Unison Branch Chairman and Local Representative.

### 4.3 Staff Development Plan 2008/2009

Each year, a training programme is drawn up for individual members of staff, following the staff appraisal process. Training needs are identified at this point.

A competency matrix has been developed and piloted.

## 5 Quality Assessment

### 5.1 Assessing the Quality of the Service

The quality of the service is rated by our customers. We carry out regular surveys, the results of which are collated. These include customer survey forms sent out

<sup>4</sup> This figure takes into account Head of Service (e.g. Enforcement hearing ), Director (e.g. at Portfolio briefing/presenting reports)

systematically, following completion of investigations and forms handed at the time of commercial premises inspections. In addition, the following quality checks are carried out:

The Group manager operates a monitoring system, which reviews

- the consistency and quality of inspections, by monitoring inspection forms
- the consistency and quality of record keeping, by review of files
- The quality of the service, as rated by our customers, by review of regular customer surveys.
- Visits in which the Group manager accompanies the officer concerned, to give feedback and check consistency of approach.
- The consistency and quality of the application of policies and procedures, by including an update session in the regular team meetings.
- The teams performance against the Council's standards of service, namely:

### **Measurement parameters include:**

Inspection of 100% of businesses requiring inspection in the current HSC requirements (measure performance: an annual return to the HSC, quarterly review by Group Manager, discussion on trends and exceptions to the plan).

Complaints to be responded to ideally within three working days, but not more than 10 working days. (Measure performance monthly review by Group Manager.)

Serious complaints regarding Health and Safety, such as fatalities to be responded to immediately ideally but at least within 24 hours of notification. (Measure performance: monthly check by Group Manager as and when required.)

Vetting of contractor quality, if used. Measure performance: shadowed inspections on first appointment, then each inspection paperwork vetted by Group Manager.)

## **6 Review**

### **6.1 Review of the Service Against the Service Plan 2007 - 2008.**

Crawley produced a new Corporate Plan in 2007 which is congruent with the new Community Strategy developed through the Local Strategic Partnership<sup>5</sup>. The Team Service Plans provide the operational elements required to put the plan into action. The Food Licensing and Occupational Health Team Service Plan provide some of the information that is needed for this, more specific, Health and Safety Service Plan. A diagram showing the relationship between the various plans is attached as Appendix A.

**Scope of the Health and Safety Service.** Our work for the 2007 – 2008 period involved four elements:

#### **The Risk Based Inspection Programme.**

Targets and deadlines are set by Central Government and efficiencies are gained by streamlining processes. This work was given highest priority this year. We used the

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<sup>5</sup> A Copy of the Community Strategy is available on request.

HELA risk scored inspection programme as the basis for our premises inspections. However, additional inspections arose through new businesses starting up and complaints about premises. The former are obliged by law to register as businesses and are inspected at that time. The latter are subject to an inspection targeted at investigating the complaint. The table below shows the number of inspections completed last year.

TYPE OF PREMISES	TOTAL NUMBER OF PREMISES AT 31/3/2008	PROACTIVE VISITS		REVISITS		REACTIVE VISITS			TOTAL VISITS	OTHER CONTACTS
		PLANNED FIT3 VISITS	OTHER PLANNED VISITS BASED ON RISK RATING	FIT3 REVISITS	OTHER REVISITS	ACCIDENTS	REQUESTS FOR HSW SERVICE	OTHER VISITS		
RETAIL SHOPS	476	0	40							7
WHOLESALE	174	2	22							
OFFICES	596	2	12							3
CATERING RESTAURANTS & BARS	355		70							9
HOTELS CAMP SITES AND OTHER SHORT STAY ACCOMODATION	22		10							
RESIDENTIAL CARE HOME	20		5							2
LEISURE AND CULTURAL SERVICE	65		7							3
CONSUMER SERVICES	121	8	9							1
OTHER PREMISES NOT CLASSIFIED ABOVE	25		2							1
<b>TOTALS</b>	<b>1854</b>	<b>12</b>	<b>177</b>	<b>12</b>	<b>26</b>	<b>237</b>	<b>22</b>		<b>486</b>	<b>26</b>

**Table 3**

The Council's policy is to complete 100% of inspections of premises due an inspection, in accordance with the HELA risk rating system. The team has, once again, achieved this target.

### **Response to Reactive work.**

This work includes:

- Complaint investigations (e.g. regarding unsafe premises or activities)
- Accident investigations
- Investigations into complaints regarding poor occupational health and welfare
- Investigations of Dangerous occurrences
- Registrations (e.g. of cooling towers) and permits (e.g. waiving the notice period to commence work on Asbestos removal.)
- Formal Action arising from investigations.

This year we met our targets in respect of reactive work.

Whilst it is not possible to predict exactly the number of visits, the team will undertake during the year it is possible to base resource requirements on the emerging trends when looking at year on year data. For example, the team undertook 498 interventions concerning all health and safety matters in 2006-2007 as compared to 486 health and safety interventions in 2007-2008. This reflects that the level of work is very constant and current staffing ratios are correct.

A change to the manner in which areas are allocated for inspectors in 2007-2008 was also undertaken to balance the demands upon individuals. The results of this exercise will be reviewed further in 2008-2009 to ensure work levels are equitable due to the additional workload placed upon dually qualified staff who also undertake food work.

### **Complaint investigations (e.g. regarding unsafe premises or activities.)**

- We have two key performance indicators for this type of reactive work: speed of response and quality of service experienced by the customer. In the former, we have achieved well against target<sup>6</sup>. In the latter, we have identified that where an officer from the Environmental Health Department is the first point of contact, the majority of responses range from good to excellent.

### **Accident investigations**

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) require businesses to report certain accidents, ill health and incidents, if related to a work activity. The information enables us to identify where and how risks arise and to investigate serious accidents. We can then help and advise the business on preventive action to reduce injury, ill health and accidental loss - much of which is uninsurable. For most businesses a reportable accident, dangerous occurrence, or case of disease is a comparatively rare event.

Employers are statutorily required to report:

Deaths

Major injuries, such as fractures, amputations, loss of sight

Accidents to employees resulting in over 3-day injury

Diseases, such as occupational dermatitis, asthma, hand-arm vibration syndrome

Dangerous occurrences, such as explosion or fire causing suspension of normal work for over 24 hours, or collapse, overturning or failure of load-bearing parts of lifts and lifting equipment

All accidents, diseases and dangerous occurrences may be reported to the Incident Contact Centre. The Contact Centre was established on 1st April 2001 as a single point of contact for receiving all incidents in the UK. Information regarding the above is placed on a secure site on the internet. We then download those which relate to Crawley Borough and Gatwick airport which are enforced by the Council, namely if the business is:

- office-based;
- retail or wholesale;
- warehousing;
- hotel and catering;
- sports or leisure;
- residential accommodation, excluding nursing homes,

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<sup>6</sup> Full details are available through the corporate reports on performance.

- concerned with places of worship
- pre-school child care
- mobile vending.

Other types of business are enforced by East Grinstead regional office of the Health and Safety Executive.

In the 2007 – 2008 we received 237 formal accident notifications.

An agreement is intended to be completed across Sussex in 2008 to authorise local authority Health and Safety Officers to undertake enforcement activities on behalf of the Health and Safety Executive with a mutual arrangement for HSE staff. This follows on from CBC's project joint warranting at Gatwick Airport in 2006-2007. This joint enforcement initiative does not include aircraft related matters which will remain the responsibility of the HSE.

### **Investigations into complaints of poor Health and Safety at premises**

- In 2007 – 2008 complaints were investigated as detailed below.

<b>Code</b>	<b>Type</b>	<b>2007 - 2008</b>
HSWCOM	Comfort and welfare	5
HSWLPG	Liquid petroleum gas	0
HSWOVE	Overcrowding	39
HSWSAF	Safety	40
HSWSHP	Shops act	1
HSWUNS	Unspecified	13
HADVIC	Advice	10
	Total	108

**Table 4**

### **Advice to businesses**

- Officers from the team hold a quarterly meeting with British Airways to discuss live issues and improve working relationships. This meeting forum has led to significant improvements to health and safety arrangements in the public car parking areas at Gatwick further to a fatality in 2004.

### **Formal Action arising from investigations.**

- Where possible, acceptable standards in business premises are achieved through informal means: the inspecting officer discusses any contraventions with the proprietor, who then gives an undertaking to complete the necessary works. This process happens in hundreds of premises each year. However, it is sometimes necessary to take matters further, particularly where there is a past history where advice has been given, but sufficient improvement has not been made. This results in an Enforcement Review. The Head of Service has delegated powers to recommend formal action and considers such cases by hearing the details of the matter from the case officer, with advice from the Council's

legal representative. This year 2 cases were considered for prosecution but resolved informally.

### **Project work.**

This aims to maximise the use of time becoming available as the reactive workload fluctuates. Targets are set, often nationally (e.g. implementing new legislation, promoting occupational health and safety issues) but deadlines have greater long-term flexibility. This work provides incremental and essential improvements to the service, but has the lowest priority. Several projects have involved “process” improvements.

The team will be taking part in the HSE topic based initiatives in 2008-2009 which include:

- Asbestos campaign – designed to protect workers and third parties from exposure to asbestos and ensure property owners comply with their legal duties.
- Slips and trips from cleaning activities at London Gatwick Airport – to reduce the numbers of slips and accidents and improve practices. This project is being undertaken with the Health and Safety Executive looking at operations within the terminal buildings and the cleaning of aircraft working with the major cleaning contractors at Gatwick.
- Moving goods safely – Looking at practices with the Flight Catering Industry from production to catering the aeroplanes. This work is also being undertaken with the Health and Safety Executive assisted by HSE Inspector who has been assigned to Crawley in a ‘buddy role’.
- Development of Major Investigations Sussex Team – to raise awareness and reduce illness industry across Sussex.
- Site testing of a method designed by the Health and Safety Laboratory to prevent work related upper limb disorders. This work will be undertaken at the baggage handling locations in Gatwick Airport.
- Exploration of scheme to reward environmental awareness and health and safety compliance.

### **Team Management.**

This involves the processes required to run the team within the legislative, national and local requirements. In respect of the occupational health and service, it includes:

- Developing the Staff. (e.g. Training, Monitoring)
- Monitoring the Processes (including meeting targets, keeping procedures in line with the HSC Section 18 requirements, Budgetary control)
- Evaluating and Planning (such as creation of this service plan to meet Section 18 requirements.)

## **Procedural Review**

A document control procedure and a programme to review procedures in a systematic manner are followed. This year the procedural review will continue, with associated training for staff.

### **6.2 Identification of any Variation from the Service Plan**

This is undertaken through reports run from the UNI-form database system and regular team meetings. It should be noted that it is not possible to accurately predict the actual number of accident reports received by the team and at times of high demand priorities dictate that programmed inspections are delayed.

### **6.3 Improving the Service, Responding to Challenges.**

Full participation is encouraged with all members of the team and in association with the Head of Service. A number of project groups have also been created under the direction of the Head of Service to deliver improvements across all service areas. Customer survey forms are also issued and tracked for trends.

#### **Active Networking.**

Officers from the team all attend the Sussex Health and Safety Liaison Group to further knowledge and share good practice. A Responsible Authorities Group (RAG) was also created in 2006 to improve communication between Licensing Officers and Health and Safety Officers.

#### **Staffing Allocation.**

The team is currently fully staffed. A job evaluation was undertaken in 2007 which resulted in 2 of the team members being authorised to serve improvement notices and take action under Sec.21 Health and Safety at Work etc Act 1974 to improve the effectiveness of the service. The team members in question facilitated this change, completing a vocational qualification to fulfil competency requirements.

#### **Staff Development Plan 2008 - 2009.**

Staff development will be driven by the current corporate appraisal system, which includes the production of a training plan. This will address generic training issues and identify where additional Continued Professional Development is required. In cases where specific training needs can be identified this is dealt with separately.

#### **Quality Assessment.**

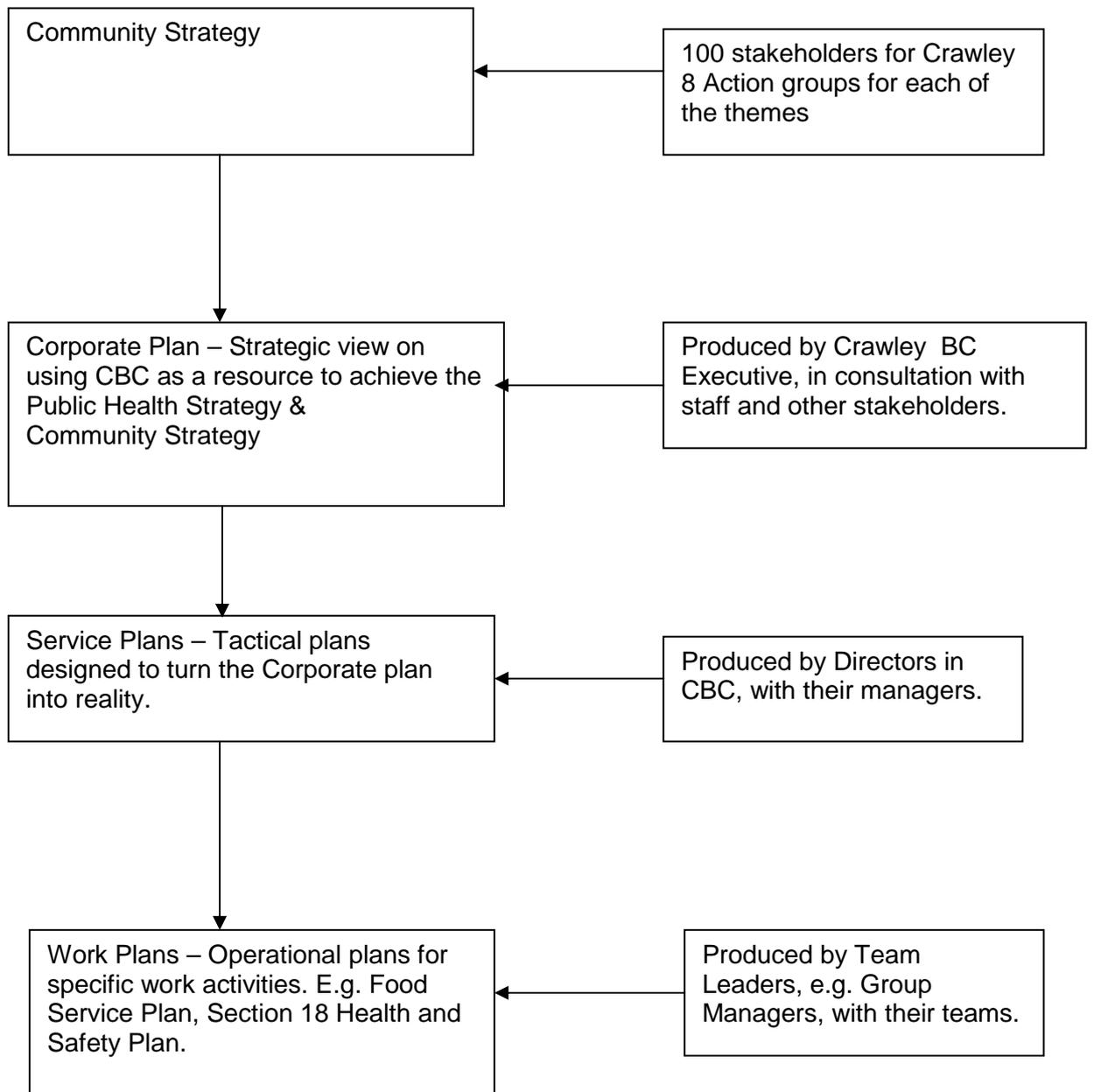
As described above, monitoring and evaluation is carried out using statistical means and by use of customer survey. Individual officers are also monitored, through reviews of inspection records and shadowed (i.e. accompanied visits.<sup>7</sup>)

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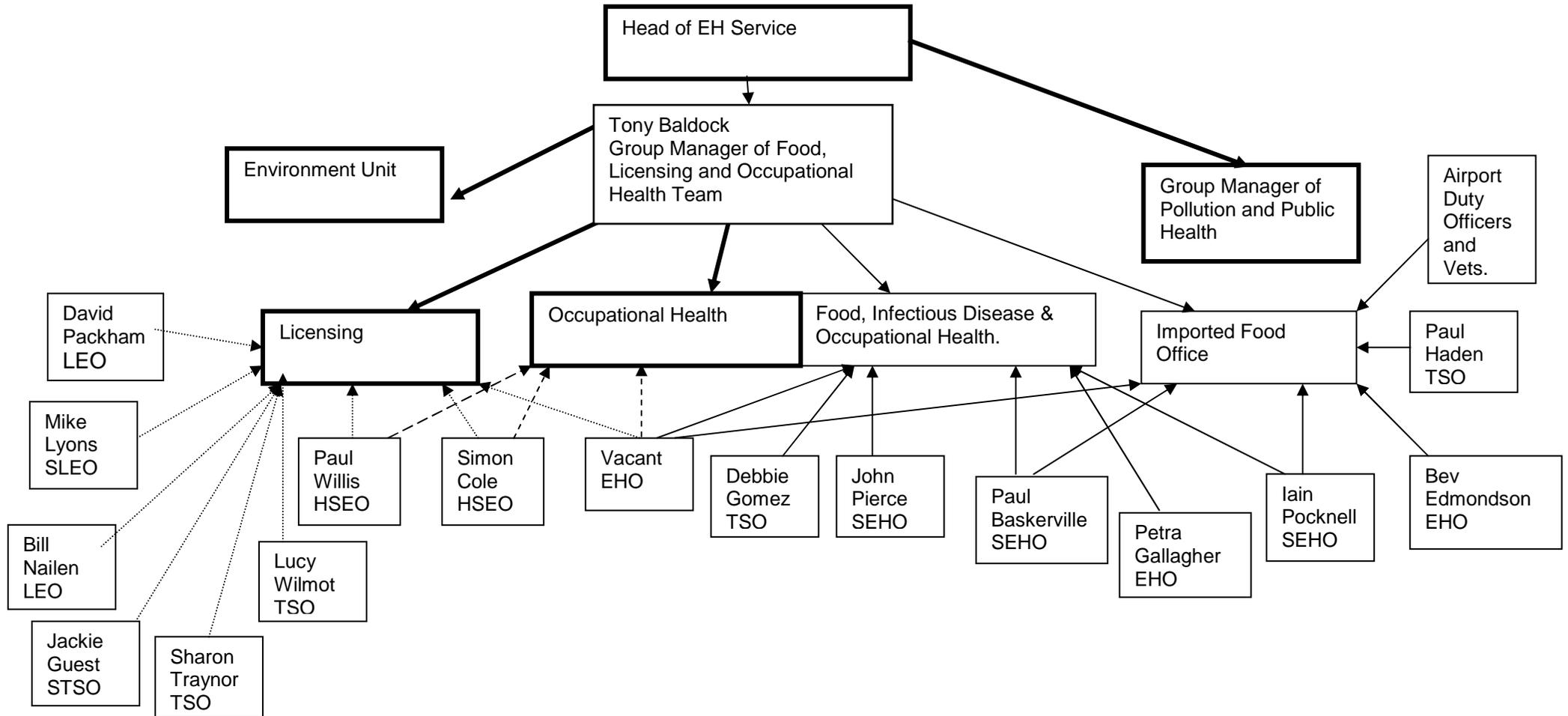
<sup>7</sup> Details of the procedure used to ensure the quality of the service is available on request.

## Appendix A

### Integration of Strategies and Plans



**Appendix B - Organisation of the Teams**



## **Appendix C**

### **Details of Food Analysts**

The three laboratories used are:

Hampshire Scientific Service (Public Analyst)  
Hyde Park Road  
Southsea  
Portsmouth  
Hampshire  
PO5 4LL  
Tel. 0239 2829501

Sussex and Surrey Environmental Microbiology Service (Public Health Laboratory  
Service and Food Examiner.)  
Royal Sussex County Hospital  
Eastern Road  
Brighton  
East Sussex  
BN2 5BE  
Tel. 01273 664 622.

Eurofins (Public Analyst )  
445 New Cross Road  
London SE14 6TA  
020 8694 9330