

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan for Health and Safety Regulation

Meeting/Date: Licensing and Protection Committee – 28 June 2023

Executive Portfolio: Executive Councillor for Customer Services – Cllr S Ferguson

Report by: Kate Penn – Environmental Health Service Plan

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council is a Health and Safety Enforcing Authority. The Health and Safety Executive (HSE) is the National Regulator for Health and Safety and requires every Local Authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. This requirement is supported by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (Revision 11).

Recommendation(s):

The Committee is requested to:

- 1. Comment on, and if in agreement approve the “Service Plan for Health and Safety Regulation 2023-2024” (Appendix 1) in accordance with the Council’s Constitution.**
- 2. Request quarterly reporting figures on progress against the annual “Service Plan for Health and Safety Regulation 2023-2024”.**

1. PURPOSE OF THE REPORT

- 1.1 The report formally presents the Service Plan for Health and Safety Enforcement 2023-24 to the Licensing and Protection Committee. It invites their comments and their approval of the Plan. This enables the Council to discharge its duty as an enforcing authority for Health and Safety regulation.
- 1.2 The health and safety enforcement function is one of the services provided by specialist officers in the Environmental Health team within the Community service area. The officers providing the service also deliver the statutory functions for food safety and hygiene and infectious disease control. The team aims to support business to comply with the legislation by using a range of enforcement tools including advice, training, promotional campaigns and social media.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Huntingdonshire District Council is a Health and Safety Enforcing Authority. The Health and Safety Executive (HSE) is the National Regulator for Health and Safety and requires every Local Authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. This requirement is supported by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (Revision 11).

3. ANALYSIS

- 3.1 The Service Plan priorities are guided by the content of Local Authority Circular 67/2 (rev 12), the National Local Authority Enforcement Code and the Corporate Plan 2023-28. Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting communities and contributing to the wider public health agenda.
- 3.2 Key priorities for the coming year include
- Securing compliance with health and safety law, having regard to relevant legislation, Approved Codes of Practice and Guidance
 - Investigating complaints and taking appropriate action as necessary, having regard to relevant legislation, approved codes of practice and guidance
 - Responding to requests for advice from duty holders / businesses
 - Investigating reported accidents, dangerous occurrences and notifiable diseases, in line with the HSE’s incident selection criteria guidance (LAC 22/13), and taking appropriate enforcement action as necessary.
 - Delivering a programme of targeted and proportionate regulatory interventions, in accordance with the HSE’s LAC 67/ 2 (rev 12) and statutory guidance. The three projects from the 2022-23 workplan will be continued into 2023-24 relating to inflatable amusement devices; electrical safety in hospitality settings and preventing injury

to members of the public from accessing large commercial waste and recycling bins.

4. KEY IMPACTS / RISKS

- 4.1 The failure to monitor the delivery of the approved Service Plans could invite criticism from the HSE in their capacity as the National Regulator for Health and Safety. This in turn could result in contact from the HSE's Local Authority Unit. The plan must be resourced and should only target proactive inspections or interventions, identified for specific Local Authority projects, as outlined in Annex A of LAC 67/2 (Revision 12); and at those premises identified within the highest priority sectors, known as the list (Annex B LAC 67/2 (Revision 12)).

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2023-2024 financial year.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The work covered by this service plan largely sits under Priority 3 - Delivering good quality, high value-for-money services with good control and compliance with statutory obligations.

7. CONSULTATION

- 7.1 No consultations required as part of this report.

8. LEGAL IMPLICATIONS

- 8.1 The HSE has a key role as the National Regulator in overseeing Health and Safety regulation undertaken by Local Authorities.
- 8.2 The HSE's National Local Enforcement Code recognises that Service Plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 8.3 This Service Plan replaces the Health and Safety Service Plan for 2023-2024 and identifies the priorities for Huntingdonshire District Council in delivering this statutory function. Service Plans must include a review of performance in order to consider any variances from meeting the requirements of the service plan and to identify areas for improvement.

9. OTHER IMPLICATIONS

- 9.1 The HSE, as the National Regulator, expects Local Authorities to carry out regulatory activity in an effective, risk based, proportionate and consistent way. The production, publication and delivery of the Service Plan will set out how we meet those expectations.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 Huntingdonshire District Council is required to produce and approve a Health and Safety Service Plan. This Provisional Plan gives the Committee an opportunity to comment on the priorities identified and shape delivery of the service within approved resources

11. LIST OF APPENDICES INCLUDED

Appendix 1 – Draft Service Plan for Health & Safety Regulation 2023-24

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