

**WORKING WITH THE HSC AND HSE TO CHANGE ATTITUDES AND
CULTURE IN HEALTH AND SAFETY ENFORCEMENT
(Report by Head of Environmental Health Services)**

1. INTRODUCTION

- 1.1 The purpose of this report is to seek Cabinet endorsement of the statement of intent for the 'Local Authorities (LAs) and Health and Safety Executive (HSE) Working Together' Strategic Programme. Also to seek Cabinet approval for the Portfolio Holder for Public Health and Community Safety (or her nominee) to sign a copy of the Statement of Intent, on behalf of Huntingdonshire District Council, at a regional event to promote the initiative.

2. BACKGROUND INFORMATION

- 2.1 The first meeting of the steering group of the 'Local Authorities and HSE Working Together' Strategic Programme took place in July 2004. The group agreed a 'statement of intent' setting out both local government's and the HSE's commitment to working together to deliver the Programme's aims.
- 2.2 The Strategic Programme is just one of the initiatives established to deliver the Health and Safety Commission's (HSC's) Strategy for workplace health and safety in Great Britain to 2010 and beyond. The HSE and LAs are the HSC's enforcing authorities. The HSC has the intention of giving "much greater recognition to the essential role of LAs in improving workplace health and safety for millions of workers".
- 2.3 The Programme vision is of LAs and HSE working jointly and in partnership, locally, regionally and nationally to a common set of goals and standards, committed to focusing resources on agreed health and safety priorities.
- 2.4 The HSC has asked HSE and LAs to establish a Strategic Programme that will deliver the detailed arrangements for working together in an effective partnership. The detailed arrangements should be clear by the end of 2005.
- 2.5 The joint 'statement of intent' was agreed by the HSC, HSE and local authority representative bodies in July 2004. The statement sets out the high level commitments, which provide the framework of objectives for the Strategic Programme and achievement of the vision. In endorsing this 'statement of intent' Huntingdonshire District Council are affirming their commitment to the seven elements of the 'Statement of Intent'. The 'Statement of Intent' is appended to this report.

3. IMPLICATIONS

- 3.1 There are no direct financial implications arising from endorsement of the 'Statement of Intent'. This Programme is centred on new ways of working rather than demand for resources. Staff

requirements for all of the Health and Safety Inspection Programme, including any partnership working, will be included in the annual 'Health and Safety Service Plan' as usual.

- 3.2 A 'Health and Safety Service Plan' is produced each April. This plan is brought before Huntingdonshire District Council's Cabinet for approval each year. The next Service Plan will set out how the Council will fulfill its statutory duty within the financial year 2005/6 and detail the priorities, aims and objectives for the enforcement of health and safety along with the resources, mechanisms and arrangements for ensuring the effective delivery of the service. The plan for 2005-6 will be the fourth of this type. If the 'Statement of Intent' is endorsed officers will ensure that the priorities, aims and objectives of the service plan are in accord with those of the HSC and contribute to the Council's commitments.

4. CONCLUSION

- 4.1 The 'Statement of Intent' was agreed by the HSC, HSE and local authority representative bodies in July 2004. The vision is that we should be working jointly and in partnership, locally, regionally and nationally to a common set of goals and standards, committed to focusing resources on agreed health and safety priorities. By endorsing the 'Statement of Intent' the Council is committed to working towards the vision. The actions arising from such a commitment would be incorporated in the next 'Health and Safety Service Plan'.

5. RECOMMENDATIONS

- 5.1 **It is recommended that Cabinet endorses the statement of intent for the 'Local Authorities (LAs) and Health and Safety Executive (HSE) Working Together' Strategic Programme.**
- 5.2 **It is recommended that the Portfolio Holder for Public Health and Community Safety (or her nominee) be authorised to sign a copy of the Statement of Intent, on behalf of Huntingdonshire District Council, at a regional event to promote the initiative.**

BACKGROUND INFORMATION

Health and Safety at Work, etc Act 1974
"Strategy for Workplace Health and Safety in Great Britain to 2010 and Beyond";
HSC. www.hse.gov.uk
"Local Authorities and HSE Working Together"
www.hse.gov.uk/lau/strategic.htm
Service Plan for Health and Safety Enforcement 2004-5: presented at the Licensing and Protection Panel on 12th May 2004 and endorsed in July 2004

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Statement of Intent

This joint statement of intent, agreed by HSC, HSE and local authority representative bodies in July 2004, sets out the high-level commitments which provide the framework of objectives for the Strategic Programme and achievement of the vision

We are committed to:

- 1 Developing an effective and coherent partnership between HSE and LAs, based on the principle of making the best use of their respective strengths, and applying collective resources in the best way to tackle national, regional and local priorities for health and safety.**

There is no lasting logic to the current division of enforcement responsibility between HSE and LAs and their ways of working, which do not capture the full potential of HSE and LAs to work together. HSE and LAs will work in a closer partnership based on a mutual understanding of their respective strengths and the value of local and central interventions. Joint working will reflect the HSC's overall strategy and contribute to relevant local strategic objectives such as those for healthy communities.

As a start, to exemplify this new partnership approach, HSE and LAs will build on and publicise current examples of best practice.

- 2 A joint approach to developing the arrangements to deliver these commitments.**

The HSC will engage LA elected members with the Programme and aim to secure their support for its strategic objectives for health and safety.

The Programme will be overseen by a Steering Group that has members from HSC and elected member nominees from the LA Associations of England, Wales and Scotland. A joint HSE and LA board (officials and officers) will lead the detailed work and the Programme team will be jointly staffed. The input of HSE and LA staff to the Programme is essential to developing practical proposals which meet national, regional and local needs.

- 3 Improving communications between HSC, HSE and LAs to ensure, in particular, that LAs and their representative organisations are adequately involved in the development of policy advice to the HSC, and in the planning and delivery of the operational activities which carry them into effect.**

This will require a change of attitudes and culture to ensure that LAs are able to effectively contribute in a timely manner and their interests are seen as an important and necessary consideration in HSC's and HSE's work.

- 4 Providing information, guidance and support to enforcing authorities equitably.**

We are aiming to move quickly to better ways of sharing the guidance that supports the day-to-day work of enforcing authorities and their staff. We will also

develop systems for sharing training and information, and for access to expertise and specialist resources.

5 Examining and adapting as necessary the institutions and legal framework which currently underpin the relationship between HSC, HSE and LAs.

We will revisit the effectiveness and value of all our supporting institutions to ensure that they are fit for purpose to deliver our new aspirations, including completion of the current review of the HSE/LA Enforcement Liaison Committee (HELA). In particular we need to consider how we can deliver effective governance of the partnership at local and regional level, with the support of LAs' elected members. HSE will aim to put in place a locally-based framework of staff support and other necessary resources for the partnership, and to review the role of HSE's existing Enforcement Liaison Officer network. We also recognise that the Enforcing Authority Regulations may need to be amended or replaced in order to support new ways of working. But our approach will be first to determine how the partnership can best work, and only then to see what changes are needed to the legal framework to enable this to happen.

6 Developing arrangements for monitoring and auditing the work of the enforcing authorities which properly reflect the status of HSE and LAs as partners.

We wish to see arrangements for overseeing the performance of HSE and LAs which are applied equitably to the work of both partners in the new relationship. In taking this forward we will seek and take account of the views of the Audit Commission and other central and devolved government interests in accountability.

7 Contributing effectively to current and future initiatives to improve the consistency and coordination of central and devolved government requirements which impact on regulatory services, in the context of expectations, priorities, minimum standards, monitoring and intervention.

We are committed to working with others to ensure a joined-up approach that helps to support the enforcing authorities and their drive for improvement. The aim is to promote a consistent approach by different government departments that have an interest in LAs and their responsibilities for delivering regulatory services. We will follow the principles established in accordance with the Enforcement Concordat and which are reflected in HSC's Enforcement Policy Statement.