

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan for Health & Safety Regulation 2015-16

Meeting/Date: Licensing and Protection Panel – 23rd June 2015
Council – 29th July 2015

Executive Portfolio: Councillor Roger Harrison

Report by: Head of Community

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council is a health and safety enforcing authority. The Health and Safety Executive is the national regulator for health and safety and it 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 imposed by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (rev4).

Recommendation(s):

Members are requested to:-

1. Consider the draft ‘Service Plan for Health and Safety Regulation 2015-16’ and if in agreement with the proposed plan, approve the Service Plan for 2015/16.

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1. WHAT IS THE PURPOSE OF THIS REPORT?

- 1.1. The report formally presents the draft Service Plan for Health & Safety Regulation 2015-16 to the members of the Licensing and Protection Panel and seeks their comments on the plan, and their approval for the Service Plan. This enables the Council to discharge its duty as an enforcing authority for health and safety regulation.

2. WHY IS THIS REPORT NECESSARY?

- 2.1. Huntingdonshire District Council is a health and safety enforcing authority. The Health and Safety Executive is the national regulator for health and safety and it 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". The requirement is imposed by the National Local Authority Enforcement Code and the Local Authority Circular (LAC) 67/2 (rev4).
- 2.2. The health and safety function within the Council is delivered by the Commercial Team of the Community Division and the purpose of the Service Plan for Health & Safety Regulation 2015-16 is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1. The Service in producing the draft Service Plan for Health & Safety Regulation 2015-16 has considered the requirements of the LAC 67/2, the actual outturn data for the Service Plan for Health & Safety Regulation 2014-15, and the direction of travel for Huntingdonshire District Council in its Corporate Plan and Medium Term Financial Strategy

4. KEY IMPACTS/RISKS

- 4.1. The failure to produce an appropriate Health and Safety Service Plan outlining how the Council intends to fulfil its duty to deliver adequate enforcement of the relevant statutory provisions could invite criticism from the Health and Safety Executive which, as the Central Competent Authority, oversees local authorities.. This in turn may lead to contact from the Health and Safety Executive Local Authority Audit team.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1. The work identified within the Health and Safety Service Plan will be delivered during the financial year 2015-16. The health and safety function will be delivered alongside the Commercial Team's other core regulatory functions, namely food safety, food-related infectious disease control, smoking in public places and private water supplies.

6. LINK TO THE LEADERSHIP DIRECTION

- 6.1. The Service Plan for Health & Safety Regulation 2015-16 supports the Council's Vision of 'improving the quality of life for the people of Huntingdonshire' through the delivery of a risk based, proportionate, consistent and transparent health and safety service ensuring safe working environments within the District.

7. CONSULTATION

- 7.1. The Service Plan for Health & Safety Regulation 2015-16 is being presented to Members of the Licensing & Protection Panel in a consultation draft format to allow Members to provide feedback and comments on the document.

8. LEGAL IMPLICATIONS

- 8.1. The Health and Safety Executive has a key role as the national regulator in overseeing health and safety regulation undertaken by local authorities. Powers enabling the Health and Safety Executive to monitor and audit local authorities are contained in the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (rev4)..
- 8.2. The Code issued by the Health and Safety Executive 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. The Health and Safety Service Plan is developed annually to ensure compliance with the Code. This plan updates the previous plan approved by the Licensing and Protection Panel on the 24th June 2014. Service plans must include a review of performance in order to address any variances from meeting the requirements of the service plan and identify areas for improvement.
- 8.4. This authority has a statutory duty to comply with the Code. These duties include requirements for the planning, management and delivery of the health and safety regulation service

9. RESOURCE IMPLICATIONS

- 9.1. The overall budget for the health and safety regulation service for 2015-16 is £121,413 which represents a decrease of 30.4% on the previous financial year. There have been significant changes in the Health and Safety executive Code with directed local authorities to review their commitment to health and safety regulation following the HM Government Deregulation and 'Cutting the Red Tape' agenda. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, additional funds may have to be sought.
- 9.2. The budget is within the approved budget for 2015-16

10. OTHER IMPLICATIONS

- 10.1. The Health and Safety Executive expects local authorities to carry out its regulatory activities in an effective, risk-based, proportionate and consistent way. The production, publication and delivery of the Service Plan will meet these expectations.

11. REASONS FOR THE RECOMMENDED DECISIONS

- 11.1. Huntingdonshire District Council is required to produce, and approve a Service Plan for Health & Safety Regulation 2015-16. The Service Plan for Health & Safety Regulation 2015-16 presents a robust plan which is achievable, but challenging, within the aspirations of the Council and approved resources.

12. BACKGROUND PAPERS

Service Plan for Health & Safety Regulation 2015-16

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