



St. Helens Council

Health and Safety Service Plan

Place Services Directorate

Regulatory Services

Environmental Health

2019/20

Foreword

St Helens Council recognises the importance that the provision of effective Environmental Health services play in ensuring the safety and wellbeing of those who visit, live and work in the borough.

This Health and Safety Service Plan is an annual plan which is endorsed by the Council. It seeks to provide a clear strategy and ensure that resources are targeted towards frontline services and high-risk activities.

The Regulatory Services Plan sets out the framework within which the Council has to deliver a consistent and proportionate service balanced between education, encouragement and enforcement. Assisting businesses to comply with the requirements of the legislation is as important as detecting non-compliance.

National, regional and local priorities are covered within the plan and through the delivery of work streams, which focus on these priorities, we aim to ensure that the highest standards of health, safety and welfare at work are provided to the local community.

Councillor Lynn Clarke

Cabinet Member and Portfolio Holder for Environmental Services

December 2019

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St Helens Council Health and Safety Service Plan 2019/20

1. Introduction

This Health and Safety Service Plan has been provided to meet the requirements of the Health and Safety Executive's guidance which is issued under Section 18 of the Health and Safety at Work etc. Act 1974. It is the statutory duty of the Council to act in accordance with any guidance issued under this remit, which also includes the National Local Authority Enforcement Code.

The Council is designated as an Enforcing Authority under the Health and Safety (Enforcing Authority) Regulations 1998 which define specific work premises in which the Council has the responsibility for health and safety regulatory enforcement.

The Commercial Services Team sits within Regulatory Services which forms part of the Place Services Directorate. The team has the responsibility for health and safety, food safety, animal health, licensing and infectious disease investigations. The team is committed to assisting and supporting local businesses in respect to compliance with regulation.

This Plan is to be reviewed annually taking into account corporate objectives, demands on the service and any changes to the way in which the service is to be provided, to ensure the provision of the most cost-effective service.

2. Service Aims and Objectives

Aims

The key aim of the Commercial Services Team in respect to health and safety is to promote compliance with current health, safety and welfare legislation in order to reduce the number of accidents and incidents of ill health associated with work activities.

Objectives

The Division's objectives are to provide efficient, cost effective and high quality services for residents and the business community within the Borough. Such services will promote the concept of prevention rather than cure and provide for a fair, safe and legal trading environment within the community of St Helens. To achieve this, we will undertake to work with the general public and local businesses and respond to their changing needs.

3. Links to Corporate Objectives and Council Plans

The Corporate Objective was derived following substantial public involvement and is as follows:

“To make St Helens a Modern, Economically Prosperous and Vibrant Borough”

The Commercial Services Team will support this objective by following national initiatives on health and safety in order to reduce injuries sustained at work and in particular we will endeavour to raise the profile of health and safety in small businesses and as requested we will provide new and existing businesses with relevant advice and help with respect to health, safety and welfare issues.

4. Links to local plans and groups

- The Service is a member of Environmental Health Cheshire and Merseyside Health and Safety Group which meets every two months. Each of the nine authorities within the region has a representative on the Group together with the HSE. Group members work in partnership to identify common themes across the region and to promote the delivery of a consistent health and safety service within Merseyside and Cheshire.
- Health and Wellbeing Agenda – the Health and Safety Service has an important role to play in the Council’s agenda. The Service is represented on the Tobacco Control Group and also delivers the Community and Business Health Promotion work which is funded by Public Health.
- The Service is represented on the North West Work Related Death Protocol liaison group, whose members include the HSE, CPS, CQC and representatives from Merseyside, Lancashire, Cheshire and Greater Manchester police forces.

5 National Local Authority Enforcement Code

The Code directs the local authority’s health and safety service by providing a principle based framework that recognises the respective roles of business and the regulator in the management of risk, identifying four objectives:

- Clarifying the roles and responsibilities of business, regulator and professional bodies to ensure a shared understanding on the management of risk
- Outlining the risk based approach to regulation that LAs should adopt with reference to the Regulator’s Compliance Code, HSE’s Enforcement Policy

Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk

- Setting out the need for training and competence of LA health and safety regulators linked to the authorisation and use of the Health and Safety at work Etc. Act 1974 powers
- Explaining the arrangements for the collection/publication of LA data and peer review to give assurance on meeting the requirements of the Code

It recognises that LA health and safety regulators are competent professionals who are granted powers and duties to deliver proportionate and targeted enforcement. LAs need to use their limited resources to best effect by targeting specific risks or focussing on specific outcomes. Proactive inspections should only be utilised for premises with higher risks or where intelligence suggests that risks are not being effectively managed. The Code gives direction to LAs on meeting these requirements and reporting on compliance.

6 Health and Safety Service – specific objectives 2019/20

The Service will undertake:

- **Inspections** – reactive inspections will be made where intelligence shows that risks are not being effectively managed. Proactive inspections may also be undertaken for high risk premises/activities as detailed in the HSE guidance LAC 67/2 (rev 8)

<http://www.hse.gov.uk/lau/lacs/67-2-priorities-targeting-interventions.pdf>

- **Investigate work place accidents** – All reported accidents which are identified as requiring an investigation using the investigation criteria will be investigated
- **Investigate complaints** - All complaints received concerning health, safety and welfare issues will be investigated
- **Enforcement Action** – appropriate enforcement action will be taken in accordance with the Regulator’s Code of Practice.
- **Community and Business Health Promotion**- the Service is committed to promoting health and wellbeing within the community. This post funded by the Public Health Division and linked to the Healthy Weight Strategy aims to assist and guide local hot food takeaways and child minding businesses, in how they may provide nutritious and healthier meals. Support to local food banks by providing recipe and meal planning information together with simple cookery demonstrations is also provided.

- **Primary Authority Partnerships** – The Service will proactively seek to continue to establish Primary Authority Partnership arrangements with local businesses
- **Project Work** – this will include workplace transport (and as the team are also responsible for food safety, work will be done on raising the awareness of allergens within food businesses). We will continue to work with the other Merseyside and Cheshire authorities to develop beauty treatment registration bye laws in order to ensure consistency of enforcement across the region.
- **Sports Grounds** - to continue to be an active member of the Sportsground Advisory Group which oversees the operations of the race course and rugby league stadium
- **Environmental Health Cheshire and Merseyside, Health and Safety group** – as an active member of the group, the Service is committed to the subgroup’s work plan 2019/20 as shown in Appendix 1
- **Licensing & Registration** - the Service is responsible for managing the licensing/registration of tattooists, beauty treatment premises and hairdressers, together with animal boarding/breeding premises and riding schools.
- **Planning applications** - The Service will act as a consultee in respect to planning applications
- **Training** - The Service is committed to sourcing low cost work based training for all enforcement officers. The Service is also able to deliver CIEH accredited training to local businesses on request.
- **Council’s website** – The Service will maintain an updated website with appropriate links to other health and safety information sites.

7. Resources - Financial Allocation 2019/20

The Environmental Health Section has an overall gross budget of £931,089. Central Recharges and accommodation are £201,345 representing 21.6% of the budget.

The cost of the health and safety service is as follows:

| | |
|----------------------------|-----------------|
| Employment costs | £93,689 |
| Supplies and Services | £10,863 |
| Recharges (incl. premises) | £27,906 |
| Transport | £3,377 |
| Capital Charges | £200 |
| Total | £136,035 |

The health and safety service is allocated 14.61% of the overall budget

Staffing Allocation

Within the Commercial Services Team of the 7 warranted officers appointed under section 19 of the Health and Safety at Work Act 1974, the percentage of their time spent on health and safety work is shown below:

1 x PEHO (Commercial Services) – 25% of time

5 x SEHOs – 33% of time

1x Commercial Services Officer – 25% of time

This equates to 1.8 FTE officers time spent on health and safety activity.

Authorisations and competence of staff

Staff are authorised under the Health and Safety at Work Etc. Act 1974, in accordance with the "Issue of Authorisation", which is contained within the Section's Practice and Procedure notes. Copies of these are kept by the Service Manager.

The PEHO is a chartered member of the CIEH and 3 SEHOs have the NEBOSH Certificate in Health and Safety. The Commercial Services Officer holds the BTECH in Environmental Health which includes the specialist module in Health and Safety.

Each member of staff is required to keep documentation from training sessions to demonstrate their CPD.

8. Quality assessment

The following monitoring arrangements are in place:

- Individual officers are identified as project leads
- All enforcement notices that are issued are reviewed by the PEHO prior to service.
- Regular discussions are held with officers who are involved in more complex accident/complaint investigations

9 Review of work done 2018/19

Background

In October 2018, the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force. These changes meant that available resources had to be directed towards implementing the new regulations, thereby reducing the capacity for health and safety enforcement work.

In November 2018, officers attended two Coroner's Inquests following two fatal accidents that occurred in 2016 and 2017. One of the inquests lasted a week and a Senior EHO was called upon to give evidence at each of the Inquests. The investigation into the accident which occurred in 2017 is ongoing

Inspection

- Health and safety inspections took place following the identification of matters of evident concern (MEC), found during food inspections and responding to complaints about work places. Appropriate action was taken following these visits, for example a prohibition notice and improvement notice were served prohibiting the use and requiring repairs to a gas fired griddle in a hot food takeaway premises.

Investigate workplace accidents

A total of 80 accidents were reported as per the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations. Examples of accidents that were investigated are:

- A retail display chill cabinet that had been placed directly onto the forks of a fork lift truck. The load was unstable and as the truck began to move the fridge fell off the forks, injuring an employee. A prohibition notice was issued prohibiting the use of fork lift trucks to move unpalletised chill cabinets.
- An employee suffered neck injuries whilst moving palletised stock in a warehouse. A loaded pallet was positioned in the racking which was meant to be positioned sitting on two horizontal cross beams. The front cross beam had become un-clipped and the pallet was sitting unevenly. The employee and another staff member tilted the pallet back to take the weight off the beam to enable the beam to be re located into its locked position. Both employees were holding the pallet/weight as the beam was being re positioned, however the pallet momentarily dropped forwards and

struck the injured party on the head causing a neck injury. During the investigation it was found that the employee often used his head to support the load whilst using his hands to re position the beam. The reason given for this unsafe system of work was that it saved time because pallets did not have to be unloaded. Following the accident wooden slats were installed in the racking, between the beams. Staff were also instructed to immediately report damage and defects of the racking system with regular visual inspections being carried out by management. Safe procedures for dealing with dislodged loads were also implemented.

- Another accident at a distribution centre resulted in an employee being injured as he was picking a stacked chair from head height, part of the stack fell over onto him. The investigation found that chairs were stored in stacks up to 10ft in height. Chairs were wrapped in plastic film to secure them. The risk assessment for the moving and storage of chairs was reviewed and it was determined that in future when picking a chair from a stack, 2 people would carry out the task. Other issues were also identified during the visit as requiring attention including the poor standards of housekeeping and visits to the business are continuing.
- Following a number of accidents at a trampoline park a review of the company's risk assessments, practices and procedures was undertaken. Training of staff and supervision of clients using the facilities were identified as weaknesses.

Sampling

All swimming pools and spas were sampled for bacterial contamination. The results of the testing were satisfactory.

.Investigation of complaints

The Service received 37 complaints from the public and employees relating to health and safety issues, all of which were responded to.

Enforcement Action

- A Prohibition Notice was served to prohibit the use of an unsafe gas griddle and an improvement notice was served detailing the repair work that was needed before the griddle could be brought back into use.

Community and Business Health Promotion

This post initially funded for two years by Public Health but which is now permanent, focusses on guiding and supporting local businesses in the provision of healthier alternatives dishes. The “Chip Fryer Award” recognises good frying practices which lead to the production of a “healthier chip” and the HOST award (Healthier Options St Helens) celebrates those hot food takeaways that make changes to their menus offering lower salt and fat content meals. The Childminders Award is for those businesses that are able to demonstrate that they provide children in their care with nutritional well- balanced meal options and that the message of the importance of a “healthy diet” is relayed to parents and carers.

During the year the officer who is responsible for this agenda, started to work with food banks and charitable organisations, providing recipe cards and meal planning guidance using the foods that are provided in food parcels. These cards that can be handed out to everyone. Simple cookery demonstrations have also been provided.

Primary Authority Partnerships:

This is a statutory scheme which is a gateway to simpler, more successful local regulation and is operated by the Department for Business, Energy and Industrial Strategies which has the statutory responsibility to register partnerships, issue guidance and resolve disputes. The scheme gives companies the right to form statutory partnerships with a single local authority. These authorities then provide robust and reliable advice for other councils who must take the advice into account when carrying out inspections or dealing with regulatory non- compliance within an identified business.

The authority has 4 partnerships one of which is with the facilities management company for a national supermarket chain. Work with this partnership has included a review of the management and control of the legionella across the stores. Work has also continued with the development of the accident reporting system. The partnership officer is invited to attend the Company’s health and safety team meetings.

During the year a new partnership was formed with a food company that operates mobile sandwich units.

Project – Catering Equipment

Following observations made by officers during food hygiene inspections of the number of unguarded pizza dough rollers in use it was decided to run a project focussed on the guarding of dough rollers and other catering equipment such as dough mixers and gravity feed slicers.

The project started in June 2018 and will end in June 2020. Letters and information packs are sent out on a quarterly basis to identified premises that are due a food safety inspection. Businesses are advised that inspectors will be focussing attention on the guarding of catering equipment whilst on the premises. This approach was adopted as it follows the “Combining health and safety and food safety inspectors guide”. Food business operators have cooperated with inspectors in all cases where guards were missing. Unguarded pizza dough rollers have either had guards made and fitted or in some instances new equipment has been purchased. In one case the emergency stop button for a dough mixer was found to be inoperable.

Training provided

A health and safety awareness session was delivered to all Quality Monitoring Officers that visit the care service providers who provide residential/nursing/domiciliary care and supported living services to the local authority.

Officer Training

The following low-cost training/seminars for officers was provided:

- HSE Local Authority update event
- HSE EMM Webinar
- HSE Trampoline Safety Webinar
- Work Related Deaths and Inquest Training (online)
- Interviewing Witnesses (online)

Appendix 1

Environmental Health Cheshire and Merseyside Health and Safety

Sub group Work Plan 2019/20



EHCM work plan
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