

**CITY OF
WOLVERHAMPTON
C O U N C I L**

Health and Safety Statutory Service Plan
2019 - 2020

This is the City of Wolverhampton Council's Health and Safety Service Plan, dedicated to the health and safety enforcement function. It covers all elements of responsibilities relating to premises and functions falling within this Council's remit for health and safety enforcement as encompassed within the Health and Safety (Enforcing Authority) Regulations 1998.

The Health and Safety Service Plan is an expression of this Council's commitment to Health and Safety Enforcement and is a requirement of the Health and Safety Executive (HSE) as the body that monitors, audits and broadly sets Councils' activities on health and safety enforcement. The format and content of this service plan incorporates mandatory guidance issued by the HSE under Section 18 of the Health and Safety at Work etc. Act 1974. This is the standard which, local authorities must reach in relation to their priorities.

U.K. Health and Safety has undergone dramatic change over recent years. Through its actions via LA Code of Practice LAC 67/2 (now revision 8) and modifications to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR). Health and Safety enforcement is confined to distinct nationally applied high-risk areas or local intelligence based enforcement. As a consequence, the nation-wide number of inspections has fallen dramatically to around 5% of what they were. There is no longer a legal requirement to register premises for health and safety enforcement and local authorities have to rely on local 'intelligence information' to root out poor practices. It is against this backdrop that local authorities must now perform. Local authorities have latitude to respond to local risks however, as 'matters of evident concern' and the authority have done this where in its opinion there is serious risk of personal injury.

For 2019-2020 The City of Wolverhampton Council health and safety team will follow the national LA Code of Practice – LAC 67/2 (rev.8). This is little changed from the previous version for 2018-2019 but now includes the additional topic area of inflatables safety, which targets those that supply, erect and manage air-filled structures commonly such as 'bouncy castles'. The Service will continue to investigate workplace accidents in keeping with national selection guidance that identifies which accidents and incidents are worthy of investigation and those which are not.

In 2018-2019 officers from within the service were heavily involved dealing with high profile, significant and complex health and safety issues. This obviously influences the ability of the Service to undertake proactive health and safety work. Whilst it is the intention of the Service to undertake the work outlined in the service plan this will continue to be subject to the level of resource and the emerging issues, which arise during the year.

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1.0 Aims and Objectives

- 1.1 To protect the health, safety and welfare of people at work in Wolverhampton and to safeguard others, principally members of the public, who may be exposed to risks from the way that work is carried out. The Environmental Health Service will follow the National Local Authority Enforcement Code. This code defines 'adequate arrangements for enforcement' of health and safety legislation at premises, which is requirement under section 18 of the Health and Safety at Work Act 1974.
- 1.2 The service will prioritise their work based on the national priorities set by the HSE, with the key objective to focus on the safety of the workforce and protect them from work related ill health.
- 1.3 Proactive inspection will only be used for high risk premises or where intelligence suggests that risks are not being effectively managed.
- 1.4 Staff will follow the incident selection criteria set by the HSE to determine whether to investigate accidents, incidents and cases of ill health.
- 1.5 Education plays an important part in improving health and safety standards where local intelligence identifies sector issues we will consider undertaking a proactive awareness campaign subject to resources.
- 1.6 Staff will defer to the Black Country Enforcement policy and the Enforcement Management Model issued by the HSE when undertaking health and safety enforcement.

2.0 Scope of the Health and Safety Service

- 2.1 The role of this service is to support, encourage and advise and where necessary to hold to account businesses to ensure that they manage their occupational health and safety risks. This will be through:
 - provision of advice, investigating complaints and accidents and inspection only where specifically identified.
 - Acting as responsible authority in relation to the Licensing Act 2003 applications and as consultee in relation to relevant planning and building control applications.
 - Commenting on proposed health and safety legislation, codes of practice, guidance and other official documents as necessary and as request
 - Promoting and enforcing as necessary the provisions contained in the Health Act 2006, relating to smoke free workplaces and vehicles.

- Identification of body piercing activities (acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis) requiring registration and prepare them for the issue of registration.

2.2 The team is located at the Civic Centre, St Peters Square, Wolverhampton, and the service is available from 9:00 am – 5pm. Monday to Thursday and 9:00 am – 4.30 pm on Friday. Out of Hours interventions are carried out where required.

2.3 Informal arrangements are in place for contacting senior officers regarding matters arising outside of normal working hours e.g. accidents and incidents.

3.0 Service Delivery

Current Enforcement Guidance

3.1 The Health and Safety Executive has published a range of guidance for LA's to create a targeted regulatory programme.

3.2 In May 2013 the HSE published the National Local Authority Enforcement Code (The Code). The Code provides Local Authorities (LA) with guidance on intervention and enforcement programmes so that LA regulators take a consistent and proportionate approach to their regulatory interventions. It also sets out the Government expectations of a risk-based approach to targeting health and safety interventions and enforcement.

3.3 The Code provides LA's with a principles-based framework that focuses regulatory resources on the basis of risk via a range of different regulatory techniques and interventions. Advice to Local Authorities on targeting interventions is contained in Local Authority Circular 67/2 (rev.8) which sets out a list of national priorities and provides guidance on setting local priorities.

4.0 National Priority Projects

4.1 For 2019-2020 the HSE have set a number of topics which are deemed to be of national priority. Many of these are repeated annually and there are some new additions. The City of Wolverhampton Council will conduct the following projects that have been identified as being a national priority: -

Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste bins

4.2 Provision of guidance when businesses adopt a commercial contract with the Council or during food hygiene visits.

Duty to manage asbestos

4.3 Advisory information to be issued to hotels regarding their duty in relation to asbestos. Production of a news-letter to advise public houses of their responsibilities in relation to inflatables, asbestos, gas safety and beverage gases.

Beverage gases in the hospitality Industry

- 4.4 Raise awareness with Marston's PLC who the Council has a primary authority partnership with. Raise awareness during food hygiene inspections. Production of a news-letter to advise public houses of their responsibilities in relation to inflatables, asbestos, gas safety and beverage gases.

Gas safety in commercial catering premises

- 4.5 Raise awareness during routine food hygiene inspections. Production of a news- letter to advise public houses of their responsibilities in relation to inflatables, asbestos, gas safety and beverage gases.

Inflatable amusement devices

- 4.6 Production of a news-letter to advise public houses of their responsibilities in relation to inflatables, asbestos, gas safety and beverage gases. Discuss during the Safety Advisory Group if we become aware of an event with inflatables.

5.0 Proactive Inspection

- 5.1 Proactive inspections will be undertaken where local intelligence suggests the risks identified in Annex B of the LAC 67/2 health and safety guidance are not being controlled.

6.0 Health and Safety Complaints

- 6.1 The Service receives in the region of 150 requests for service in relation to health and safety per year. This can range from enquiries about health and safety law e.g. employers/proprietors' duties, through to complaints and "whistle blowers" detailing serious workplace conditions or reports of dangerous practices.
- 6.2 All health and safety complaints received, including anonymous complaints are prioritised and investigated in accordance with the good enforcement principle of targeting, transparency, consistency and proportionality. Emphasis is placed on those complaints that have the potential to cause most harm to employees or the public.
- 6.3 All request for service are logged on to the back office system (Idox) and any action taken in relation to a complaint is logged on this system too.

7.0 Liaison with other Organisations

- 7.1 The City of Wolverhampton Council are part of the West Midlands Health and Safety Liaison Group (WMHSLG), who work together to produce common

policies, practices and procedures to aid consistency. The group also organises regular training programmes for enforcement officers.

7.2 As a Council we liaise with other organisations as appropriate such as the Fire Rescue Service and the Police.

7.3 The service also advises and liaises with other services within the Council, including Building Control, Planning and Licensing.

8.0 Health and Safety Partnerships

8.1 The City of Wolverhampton Council are partners with the HSE and the National Association of Steel Service Centres to create the Steel Stockholding Lead Authority Partnership, which has been in existence now for over 20 years. This has created published industry guidance, most recently reviewed in 2016. Training and guidance for both industry and officers has been developed through this group.

8.2 The Council has also recently developed a Primary Authority Partnership with Marston's PLC. The partnership will primarily focus on health and safety, food hygiene and standards.

9.0 Resources

Staffing Allocation

9.1 Within the Environmental Health team there will be the equivalent of 2.5 FTE Senior Environmental Health Officers dedicated to the delivery of health and safety enforcement.

9.2 A breakdown of the proportions of time spent on operational and managerial duties dedicated to health and safety is detailed below:

Job Title	No FTE	% Health and Safety	FTE
Service Lead Commercial Group 3	1.0	30%	0.30
Inspectors	2.5	100%	2.5
Total	3.5		2.8