

<b>Committee:</b>	<b>Date:</b>	<b>Item no.</b>
Port Health & Environmental Services Committee	21 May 2019	
<b>Subject:</b> Approval of the Health & Safety Intervention Plan 2019-2020	<b>Public</b>	
<b>Report of:</b> Director of Markets & Consumer Protection	<b>For Decision</b>	
<b>Authors:</b> Tony Macklin, Assistant Director (Public Protection)		

### Summary

This report seeks your Committee's approval for the Health & Safety Intervention Plan 2019-2020 for which the City of London Corporation is required to obtain Member approval and subsequently publish.

The Health & Safety Executive (HSE) requires local authorities to produce an annual Health & Safety Intervention Plan in accordance with its National Enforcement Code for Local Authorities, Under this code, every authority, such as the City of London Corporation, is required to make a formal, corporate commitment to improving health & safety outcomes locally and all Intervention Plans should be agreed by Members.

In addition to routine intervention work in areas such as inspecting cooling towers, investigating accidents and complaints, specific projects will be undertaken such as:-

- a) leading on the development and execution of the Commercial Estates Project for London;
- b) continuing to promote the GLA's "London Workplace Wellbeing Award"; and
- c) providing information for City businesses, the public and other, wider stakeholders, on key health & safety issues using a variety of methods.

### **Recommendations**

I recommend that your Committee approves the specific health & Safety interventions set out in Appendix 2 (Health & Safety Intervention Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are contained therein.

### Main Report

#### **Background**

1. In order to be transparent and accountable, local authorities are required to publish plans setting out their enforcement work in key areas, and Health &

Safety is one such area for which we are required to publish such by the Health & Safety Executive, the relevant Government agency.

2. We must also however, continue to meet the local needs of City businesses, residents, workers and visitors and City Corporation's vision and aims as set out in the Corporate Plan 2018-2023; specifically

***Outcome 1: People are safe and feel safe***

***Outcome 2: People enjoy good health and wellbeing; and***

***Outcome 5: Businesses are trusted and socially and environmentally responsible.***

***Outcome 6: We have the world's best regulatory framework and access to global markets.***

and this is achieved through our departmental Business Plan and individual service plans such as this one which detail the work that will be done and by which we are judged overall by our key performance indicators.

3. The highlights of our health & safety intervention work during the past year, 2018-2019, were that we:-
  - a) inspected high risk City cooling towers sites that were due an inspection to assess their systems for managing the risk of Legionnaires' disease;
  - b) refined and are routinely using, a mobile working audit tool to aid cooling towers inspections and data gathering;
  - c) led the review and update of the London Legionellosis Incident Protocol and commenced work with Public Health England and the HSE on an outbreak exercise to be completed in early 2019;
  - d) contributed to improving the knowledge and competence for London and other LA regulators on cooling towers inspection including spending 2 days with colleagues in Northern Ireland whilst at the same time generated income;
  - e) continued to develop our successful campaign to improve safe Working At Height (WAH), using a variety of interventions including the use of health & safety videos, hands-on free training, social media campaigns and supporting the third London Work at Height Seminar held at Guildhall;
  - f) took on Chairperson roles for our regional Health & Safety Liaison Groups – both for our South East Quadrant and the All-London Borough's Group;
  - g) attended the launch in Parliament of the Staying Alive Report in which City of London featured as a case study – originating from the All Party Parliamentary Group research in 2018;
  - h) presented at the Reaching New Heights event concerning work at height and developed/gathered our network for the launch of a London based stakeholder forum to address gaps in supply chain management and work at height safety;
  - i) supported the City of London Police management development programme through providing health and safety training to their future and current leaders;
  - j) influenced the review of the republished 'BS 8580-1:2019 Risk Assessments for Legionella Control. Code of Practice' to the advantage of City of London businesses;

- k) continued to develop our regulatory influence through our Primary Authority Partnerships with **CBRE, Virgin Active, Monsoon Accessorize, Churchill Services Group, Hugo Boss, Shepherd Neame** and **Pure Gym** and a Primary Authority Co-ordinated Partnership<sup>1</sup> with **Assurity Consulting**, providing advice on health & safety management systems, providing training, also generating £29,000 of income;
- l) entered into new Primary Authority Partnerships going forward with **BNP Paribas Real Estate** and **Accenture**; and finally
- m) continued to make a significant contribution to the national Leisure Expert Panel through leading the development and publication of a crucial Fitness Centre Staffing guidance document, supporting and presenting at the fourth London conference and taking a role on the Executive Team to represent the regulatory role.

## Current Position

- 4. Under the Code, Health and Safety Enforcing Authorities (HSEAs), should make adequate arrangements for the enforcement of health and safety; a risk-based intervention plan, agreed by senior management and Members, ensures an accountable and transparent commitment to improving health & safety outcomes as required.
- 5. It provides a principle based framework that recognises the respective roles of business and the regulator in the management of risk, concentrating on four objectives:-
  - a) clarifying the roles and responsibilities of business, regulator and professional bodies;
  - b) outlining the risk-based approach to regulation that HSEAs should adopt with reference to the Regulators' Compliance Code and HSE's Enforcement Policy Statement and the need for effective, targeted interventions that focus on influencing behaviours and improving the management of risk;
  - c) setting out the need for training and competence of all HSEA staff; and
  - d) explaining the arrangements for the collection and publication of HSEAs' data and peer review to give assurance on meeting the requirements of the Code.
- 7. The enforcement operations of all HSEAs are judged against this Code and monitoring information. Each HSEA's health & safety intervention plan should set out their overall aims and priorities and include a range of risk-based appropriate interventions to increase impact, influence behaviours and improve management of risk.

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<sup>1</sup> [Co-ordinated Partnerships](#) are where a franchisor and its franchisees, a sectoral trade association and its members or a single company and other companies that are in the same company group, get together and received assured advice from a partner local authority regulator through a single entity or person.

8. Inspections should only be carried out in highest risk premises and activities such as cooling towers in the City. Other types of interventions include working with networks, intermediaries, raising awareness and education through modern technologies, working with businesses to provide assured advice through the Primary Authority Partnership scheme and participating on industry working groups.
9. These interventions should all be targeted at:-
  - the most serious health & safety risks and/or least well-controlled hazards;
  - those businesses that seek economic advantage from non-compliance with health & safety law;
  - securing action by dutyholders to reduce health & safety risks; and
  - improving health & safety outcomes for employeesand inspections should only be carried out at premises and for activities which are specified as being suitable by the HSE, unless identified as a local priority.
10. As well as the City Corporation's Corporate Plan 2018-2023, the Health & Safety Intervention Plan is also based upon both locally identified risks, and whenever possible, regional and national initiatives.
11. We will continue with our proactive and reactive intervention work on:-
  - a) Legionella risks associated with cooling towers and other at-risk water systems;
  - b) Primary Authority Partnerships;
  - c) the Commercial Estates project and
  - d) investigating accidents and health & safety complaints,
12. We will also be continuing to promote and develop our engagement strategy for promoting the "London Healthy Workplace Award" with colleagues in Public Health, giving City businesses the opportunity to demonstrate their commitment to the health and well-being of their workforce, an area of work closely aligned to the City's own Health & Well-being Board's public health strategy. Mental Health objectives now form part of the HSE's Great Britain Work Well strategy and the Award work undoubtedly contributes to this too.

## **Proposals**

13. I therefore recommend that your Committee approves the specific health & Safety interventions set out in Appendix 2 (Health & Safety Intervention Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are that are also contained therein.

## **Corporate & Strategic Implications**

14. The planned health & safety activities reflect the detailed operational work undertaken by regulatory enforcement teams as related to the Corporate Plan 2018-2023; this is achieved through our departmental High Level Business Plan and individual service plans which detail the work that will be done, and which are judged by our key performance indicators.
15. Approval of this plan will ensure that the City meets its fundamental obligations under the requirements of Section 18 and the HSE's National Enforcement Code for Local Authorities.
16. It is also my intention to make the whole Commercial Environmental Health Team Plan available to all stakeholder businesses operating within City of London through publication on the City of London's website.
17. In accordance with the stated policy of the HSE, this will make the City's intentions transparent and accountable to all relevant parties, and also enables any comments received on the various documents to be taken into account at their next revision for 2020-2021.

## **Other Implications**

18. There are no other implications that would result from approval of this report.

## **Conclusion**

19. The Commercial Environmental Health Team Plan 2019-2020 and its specific health & safety activities are linked to the overall Corporate Plan 2018-2023 and the Markets & Consumer Protection High Level Business Plan 2019-2020 and it sets out a clear and transparent standard for our health & safety regulatory work for the year, subject to your approval.

## **Background Documents:**

The following document has been made available in the Members' Reading Room and have also been sent electronically to all Members on this Committee:-

- Commercial Environmental Health Team Plan 2019-2020

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