

<b>Committee:</b>	<b>Date(s):</b>
Port Health & Environmental Services Committee	5 May 2015
<b>Subject:</b>	<b>Public</b>
Health & Safety Intervention Plan 2015-2016	
<b>Report of:</b>	<b>For Decision</b>
Director of Markets & Consumer Protection	

### Summary

This report seeks your Committee's approval for the Health & Safety Intervention Plan 2015-2016 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:-

- continuing to promote the GLA's "London Workplace Wellbeing Charter"; and
- providing information for City businesses, the public and other stakeholders on key health and safety issues using a variety of social media.

### **Recommendations**

I recommend that your Committee approves the key work areas outlined in this report and detailed in the Health & Safety Intervention Plan 2015-2016

## 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 as set out in the Vision, Strategic Aims and Key Policy Priorities of the City of London Corporate Plan 2013-2017; 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, 2014-2015, were that we:-
  - a) inspected all City cooling towers sites that were due an inspection to assess their systems for managing the risk of Legionnaires' disease;
  - b) continuing to deliver 'Cooling Tower Inspection' and 'Water Management' training, this year to 110 Environmental Health Officers across London and the UK, making an important contribution to improving knowledge and competence for regulators and generating £5,560 in income;
  - a) guided and assessed the City of London Corporation's submission to the GLA's London Health Workplace Charter for which they gained an "Achievement" award;
  - b) guided and assessed successful submissions to the same scheme for the London Boroughs of Southwark and Brent as well as Barts Health NHS Trust and Lloyds of London;
  - c) continued to use the team's Twitter account @SafeSquareMile - "*signposting the way to safety, health and well-being for all who work in the historic "Square Mile"*" – to inform and promote health & safety issues in the City and beyond;
  - d) launched a successful campaign to improve building managers' awareness of managing safe working at height, including use of social media, hands-on free training, and production of two more health & safety videos for the City of London YouTube channel;
  - e) continued to develop our income generating Primary Authority Partnerships with **CBRE** and **Virgin Active** on health & safety management systems, auditing their performance, provided speakers at their conferences and training events and dealt with a variety of regulatory queries and challenges from other UK local authorities, generating in excess of £15,000 in income;
  - f) along with our department's Animal Health Service, commenced a new chargeable Primary Authority Partnerships with the **Ornamental Aquatic Trade Association (OATA)**; and finally
  - g) ended the year with a successful prosecution of a managing agent for failing to managing the risks associated with damaged asbestos materials in an occupied City office building for which the company were fined a total of £40,000 and ordered to pay our £5,412 costs

## Current Position

4. Under the HSE's 2013 **National Local Authority Enforcement Code - Health and Safety at Work**<sup>1</sup> (the Code), Health and Safety Enforcing Authorities

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<sup>1</sup> [www.hse.gov.uk/lau/laenforcementcode](http://www.hse.gov.uk/lau/laenforcementcode)

(HSEAs), should make a formal commitment to improving health & safety outcomes and produce a written intervention plan agreed by senior management and Members.

5. The Code is made under the HSE's powers under Section 18 of the Health & Safety At Work Etc. Act 1974 and is a prescribed standard setting out the risk based approach to targeting health and safety interventions to be followed by HSEAs.
6. The Code 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 a HSEA's health & safety intervention plan should set out their overall aims and priorities and include a range of risk-based interventions such as pro-active inspections of high risk businesses, specific local enforcement initiatives, accident and complaint investigations, revisits to check on earlier enforcement action, the provision of advice to new and existing businesses, and awareness raising and promotional activities in general.
8. 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 in order to ensure national consistency a List of Activities and Supplementary Guidance to the Code is produced for all HSEAs to follow.
9. The City Corporation's annual Health & Safety Intervention Plan should also:-
  - set out how the authority intends to deliver its health & safety enforcement service; and
  - be a stand-alone document, or part of a broader plan of regulatory services, as long as it clearly identifies the health & safety priorities and plans for intervention of the HSEA.

10. The Intervention Plan is based upon both locally identified risks, and whenever possible, regional and national initiatives, in accordance with the Government's current guidance on health & safety enforcement for 2015- 2016. As well as continuing with our proactive and reactive intervention work on:-
  - a) cooling towers and other at-risk water systems;
  - b) Primary Authority Partnerships with CBRE, Virgin Active and OATA;
  - c) continuing to work on the successful 'Falls from Height' project and
  - d) investigating accidents and health & safety complaints,

we will also be continuing to promote and develop our engagement strategy for promoting the "London Healthy Workplace Charter" with colleagues in Community & Children's Services' Commissioning and Partnerships staff, 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.

## Proposals

11. I therefore recommend that your Committee approves the Health & Safety Intervention Plan 2015-2016.

## Corporate & Strategic Implications

12. The Health & Safety Intervention Plan reflects the detailed operational work undertaken by regulatory enforcement teams as set out in the Vision, Strategic Aims and Key Policy Priorities of the City of London Corporate Plan 2013-2017; this is achieved through our departmental Business Plan and individual service plans which detail the work that will be done and which is judged by our key performance indicators.
13. Approval of these Plans will ensure that the City meets its fundamental obligations under the requirements of the HSE's National Enforcement Code for Local Authorities.
14. We have already consulted key stakeholder groups on this namely, the **London Banks' Health & Safety Forum**, the **Suspended Access Equipment Manufacturers Association**, the Property Management Forum and our existing Primary Authority Partners and their response has overwhelmingly been supportive of the proposed Intervention Plan for this year.
15. As previously though, it is also my intention to make the plan available to all stakeholder businesses operating within City of London through publication on the City of London's website.
16. 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 documents to be taken into account at the next revision for 2016-2017.

## **Other Implications**

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

## **Conclusion**

18. The Health & Safety Intervention Plan is linked to the overall Port Health & Public Protection Business Plan 2015-2018 and sets a clear and transparent standard for our health & safety regulatory work for the year, subject to your approval.

## **Appendices**

Appendix 1 - Health & Safety Intervention Plan 2015-2016

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