

Committee(s):	Date(s):
Port Health & Environmental Services Committee	9 May 2017
Subject: Approval of the Health & Safety Intervention Plan 2017-2018	Public
Report of: Director of Markets & Consumer Protection	For Decision
Authors: Tony Macklin, Assistant Director (Public Protection)	

Summary

This report seeks your Committee's approval for the Health & Safety Intervention Plan 2017-2018 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) continuing to promote the GLA's "London Workplace Wellbeing Charter"; and
- b) 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 2017-2018

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, 2016-2017, 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) contributed to improving the knowledge and competence for London and other LA regulators: cooling tower inspection and investigating accidents and generating income;
 - c) produced and launched a new YouTube video (Building Design and Work at Height) which was targeted at designers of buildings, aiming to raise their awareness of revised legal requirements to consider the health and safety needs of end users of buildings e.g. how external facades of new or refurbished buildings will be cleaned safely;
 - d) continued to develop the successful campaign to improve safe working at height, using a variety of interventions including use of social media, hands-on free training, health & safety videos, supporting the national Work at Height Seminar held at Guildhall; our work has been recognised and published as an example of good practice by the Health and Safety Executive;
 - e) continued to develop our regulatory influence through our Primary Authority Partnerships with **CBRE**, **Virgin Active and Pure Gym, providing advice** on health & safety management systems, providing training, also generating in excess of £14,000 in income;
 - f) entered into two new chargeable Primary Authority Co-ordinated Partnerships¹ with the building services company, **Churchill Services Group** and **Assurity** Consulting.
 - g) made a significant contribution to the national Leisure Expert Panel's development of guidance on RIDDOR (statutory reporting of workplace accidents and incidents) reporting by the leisure sector, and operation of 24hr gyms; and
 - h) Presentation at two international conferences, (Slips Trips and Falls and rope access) which took place in the City and Munich this year.

Current Position

4. Under the HSE's 2013 **National Local Authority Enforcement Code - Health and Safety at Work**² (the Code), Health and Safety Enforcing Authorities

1 [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.

2 <http://www.hse.gov.uk/lau/la-enforcement-code.htm>

(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 by the Code

5. The Code is made under the HSE's powers under Section 18 of the Health & Safety At Work Etc. Act 1974 and sets out the risk based approach to targeting health and safety interventions required 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 and we are currently engaged in an inter-SE London Boroughs Peer Review process to assess our arrangements for health & safety at work enforcement against this 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. 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 social media and YouTube, working with businesses to provide assured advice through the Primary Authority Partnership scheme and participating on industry working groups.
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 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.
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 setting health and safety priorities and targeting interventions for 2017- 2018. As well as continuing 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) 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 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.

Proposals

11. I therefore recommend that your Committee approves the Health & Safety Intervention Plan 2017-2018.

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. 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.
15. 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 2018-2019.

Other Implications

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

Conclusion

17. The Health & Safety Intervention Plan is linked to the overall Port Health & Public Protection Business Plan 2017-2020 and sets a clear and transparent standard for our health & safety regulatory work for the year, subject to your approval.

Background Documents:

Health & Safety Intervention Plan 2017-2018

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