

<b>Committee:</b>	<b>Date:</b>
Port Health & Environmental Services Committee	22 May 2018
<b>Subject:</b> Approval of the Health & Safety Intervention Plan 2018-2019	<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 2018-2019 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, wider stakeholders, on key health & safety issues using a variety of methods.

### **Recommendations**

I recommend that your Committee approves the key work areas outlined in this report and detailed in the Health & Safety Intervention Plan 2018-2019

### 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 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, 2017-2018, 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) developed and are routinely using, a mobile working audit tool to aid cooling towers inspections and data gathering;
  - c) identified underlying problems with accessing cooling towers at height and developed a position statement with other Central London local authorities, the Legionella Control Assoc. and the HSE and delivered this direct to manufacturers across Europe to influence the long-term planning and design of buildings, including tall buildings in the City;
  - d) contributed to improving the knowledge and competence for London and other LA regulators on cooling towers inspection and investigating accidents 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 second London Work at Height Seminar held at Guildhall;
  - f) had our WAH work recognised and published as an example of good practice by the HSE;
  - g) provided both written and oral submissions on WAH to an All-Party Parliamentary Group, influencing national discussions and future of WAH regulation in the UK;
  - h) presented at two international conferences, on Rope Access which took place in the City and Cape Town;
  - i) continued to develop our regulatory influence through our Primary Authority Partnerships with ***CBRE, Virgin Active, Monsoon Accessorize, Churchill Services Group*** 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 in excess of £10,000 income;

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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.

- j) entered into new Primary Authority Partnerships going forward with **Hugo Boss** and **Shepherd Neame**; and finally
  - k) continued to make a significant contribution to the national Leisure Expert Panel.
4. Finally our 2017/18 Intervention Plan and arrangements were peer reviewed by another London local authority and they were positive that we met and would continue to meet, our obligations under t Section 18 of the Health & Safety At Work Etc. Act 1974 and the 2013 **National Local Authority Enforcement Code - Health and Safety at Work<sup>2</sup>** (the Code) made under it.

## Current Position

5. 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.
6. 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 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.
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 social media and YouTube, working with businesses to provide

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

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 employees

and 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 Intervention Plan is also based upon both locally identified risks, and whenever possible, regional and national initiatives, 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,

11. 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. Mental Health objectives now form part of the HSE's Great Britain Work Well strategy and our the Charter work undoubtedly contributes to this too.

## **Proposals**

12. I therefore recommend that your Committee approves the Health & Safety Intervention Plan 2018-2019.

## **Corporate & Strategic Implications**

13. The Health & Safety Intervention Plan reflects the detailed operational work undertaken by regulatory enforcement teams as related to the Corporate Plan 2018-2023; 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.

14. Approval of these Plans 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.

15. 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. 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 2019-2020.

### **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 Corporate Plan 2018-2023 and the Markets & Consumer Protection High Level Business Plan 2018-2019 and sets 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:-

- Health & Safety Intervention Plan 2018-2019

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