

COPELAND BOROUGH COUNCIL
HEALTH AND SAFETY SERVICE PLAN

2006 - 2007

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INTRODUCTION

The Health and Safety Service Plan for Copeland Borough Council provides information on how we aim to contribute to the Government's national targets for "Revitalising Health and Safety" and ensure that workplaces in which we have a responsibility to enforce health and safety legislation are safe and meet the requirements of the law. We will achieve this by inspecting workplaces, investigating complaints and accidents, taking appropriate enforcement action, raising awareness of health and safety issues and promoting health and safety.

The Health and Safety Service Plan details how we aim to contribute to the local authority and HSE strategic delivery programme Fit3 - Fit for Work, Fit for Life, Fit for Tomorrow which focuses on priority health and safety targets to reduce accident rates and incidents of ill health.

The Health and Safety Service Plan details our priorities, targets, resources, quality assessment and review of performance for 2006 - 2007. The service plan will be used to assist with service management, performance planning and comparing the performance of Copeland with other local councils.

Copeland is responsible for enforcement of the Health and Safety at Work etc Act 1974 and associated regulations in all premises **NOT** dealt with by the Health and Safety Executive. In general Copeland Borough Council is the enforcing authority for following:

1. Retail shops.
2. Wholesale shops, warehouses and fuel storage depots.
3. Offices.
4. Catering, restaurants and bars.
5. Hotels, campsites and other short stay accommodation.
6. Residential care homes.
7. Leisure and cultural services.
8. Consumer services.

SECTION 1 – SERVICE AIMS AND OBJECTIVES

1.0 HEALTH & SAFETY AIMS AND OBJECTIVES

The aim of the health and safety service is to ensure that all workplaces and work activities in the Borough for which the Council is the enforcing authority are safe and healthy and without risk to those who may be affected by the work premises or activity.

The aims and objectives of the Health and Safety Service are to:

1. Inspect workplaces on a planned risk based basis
2. Participate in the HSE Revitalising Health and Safety Programme
3. Investigate complaints about workplace conditions and practices
4. Investigate notified accidents, dangerous occurrences and diseases
5. Sample swimming pool and spa pool waters
6. Promote a consistent risk based approach to enforcement
7. Provide advice, information and training to businesses and the public
8. Comply with the Health and Safety Commission's mandatory section 18 guidance

1.2 LINKS TO CORPORATE OBJECTIVES & MISSION STATEMENT

The Council's Corporate Plan (which includes the Best Value Performance Plan) contains 3 corporate themes of:

- Creating and sustaining a healthy local economy
- Quality of life and social inclusion
- A Well managed Council striving for excellence

The Council's mission Statement is – "Working together to deliver excellent services and prosperity for West Cumbria". The values of the Council are

- Putting the community at the centre of everything we do
- Treating everyone fairly and with respect
- Being open and accountable so that people trust us
- Fostering pride in the area and in the council
- Achieving excellence through continuous improvement
- Working in partnership and developing teamwork across the council

The Health and Safety Service contributes to the corporate themes and values.

SECTION 2 – BACKGROUND

2.1 PROFILE OF LOCAL AUTHORITY

Copeland Borough Council covers 304 square miles (788 square kilometres) in the western part of Cumbria between the western fells of the Lake District and the Irish Sea two thirds of which are in the Lake District National Park.

The population of the Borough is approximately 71,296, which is increased by visitors to the many tourist attractions, leisure activities and areas of natural beauty within the borough.

The main centres of population are Whitehaven, Egremont, Cleator Moor and Millom.

2.2 ORGANISATIONAL STRUCTURE

The Commercial Team in the Environmental Health Section of the Leisure and Environmental Services Department provides the health and safety service. The Commercial Team is also responsible for providing the Food Safety Service.

The structure of the council in relation to Health and Safety and the structure of the Health and Safety Team is as shown at Appendix A.

Health and Safety issues are reported to either the Executive or the Social Well Being Overview and Scrutiny Committee or to both depending upon the nature of the issue in question.

The annual work plan of the Health and Safety Service is reviewed and monitored by the Social Well Being Overview and Scrutiny Committee.

Health and Safety is within the remit of the Health and Diversity Portfolio Holder.

2.3 SCOPE OF HEALTH AND SAFETY SERVICE

Copeland Borough Council is responsible for Health and Safety for premises and work activities allocated by the Health and Safety (Enforcing Authority) Regulations 1998.

The Health and Safety Team provides the following services:

1. Inspection of work premises and activities
2. Investigation of complaints
3. Investigation of accidents and other notifiable incidents
4. Registration of persons and premises involved in tattooing, skin piercing and electrolysis and acupuncture
5. Statutory consultee for Licence applications - includes cinemas and theatres
6. Swimming pool and spa water sampling
7. Advising business of their legal obligations and how to comply with them
8. Promotion of Health and Safety
9. Provision of information to the Health and Safety Commission
10. Consultations on planning and building control applications for business premises

The Health and Safety Team is based at the Council's main office at The Copeland Centre, Catherine Street, Whitehaven. Enquires can be made at the area offices in Millom.

The Council office hours are Monday – Thursday – 08.45hrs – 17.15 hrs and Friday 08.45hrs – 16.25hrs. * *Copeland Direct & Reception services are not available 8.45 – 10.00am on Wednesday*

Emails can be received on envhealth@copelandbc.gov.uk and a 24- hour fax is available.

The Health and Safety Executive and Health Protection Agency have out of hours contact details for Environmental Health Officers at Copeland.

2.4 DEMANDS ON THE HEALTH AND SAFETY SERVICE

Copeland is responsible for Health & Safety for over 1,000 premises and it is likely that this number will increase as new businesses set up in Copeland.

Copeland is continuing to develop as a major tourist area and events such as The Tall Ships Festival and The Whitehaven Maritime Festival and other large-scale events mean that the team is involved in health and safety at these events.

In 2006 - 2007 the premises in Copeland are in the following categories:

CATEGORY OF PREMISES	NO: OF PREMISES
"A" – minimum inspection frequency every year	35
"B1" – minimum inspection frequency every 18 months	69
"B2" – minimum inspection frequency every 2 years	296
"B3" – minimum inspection frequency every 3 years	301
"B4" – minimum inspection frequency every 4 years	170
"C" – maintain contact at least every 5 years	151
New premises to be inspected & rated	85
	TOTAL – 1,109

2.5 ENFORCEMENT POLICY

Copeland Borough Council is a signatory to the Enforcement Concordat and the principles of targeted, transparent, consistent and proportionate enforcement are applied to the Health and Safety Enforcement Policy approved by the Executive of the Council.

The Health and Safety Enforcement Policy details the action that can be taken to rectify a contravention of health and safety law and the factors that will be considered when determining a course of action. Action will be based upon an assessment of the risks and the potential effects of non-compliance with health and safety legislation.

The Health and Safety Enforcement Policy mirrors the requirements of The Health and Safety Commission's Enforcement Policy.

The Health and Safety Enforcement Policy is available on the Council's Website and is provided on request from envhealth@copelandbc.gov.uk or contacting Jackie O'Reilly Team Leader (Food and Health and Safety) on 01946 598346.

A summary version is included on the reverse of the record of inspection form left with a business on completion of a health and safety inspection.

2.6 ENFORCEMENT ACTION

In 2005- 2006 the following enforcement action was taken:

- 11 Improvement Notices
 - 1 Prosecution
 - 6 Prohibition Notices
 - 0 Formal Cautions
-

SECTION 3 – SERVICE DELIVERY

3.1 SECTION 18 REQUIREMENTS

Section 18 of the Health and Safety at Work etc Act 1974 places mandatory requirements on how councils must perform in their provision of a health and safety service. Compliance with section 18 is assessed by an audit framework, which covers the following areas:

- A. Enforcement Policy and Procedures
- B. Managed work programme and Service Plan
- C. Competence and training
- D. Investigation of accidents, requests for service and complaints about the local authority
- E. Review and quality assessment of local authority management of Health and Safety enforcement and development of action plans

In 2003 the service was audited by the HSC and found to be fully complying with all requirements and demonstrating best practice in a number of areas. The audit report is available from or from the HSE on www.hse.gov.uk/lau/hela.htm or Copeland - contact Jackie O'Reilly Team Leader (Food and Health and Safety) on 01946 598346

3.2 INSPECTIONS AND PRIORITY WORK PROGRAMME

Copeland Borough Council will carry out a programme of planned risk based inspections in accordance with our written procedure and The Health and Safety at Work etc Act 1974 section 18 requirements.

Fully trained and experienced officers will inspect premises and work activities. All inspections will have regard to relevant legislation, approved codes of practice and current guidance.

Inspections will concentrate on the high-risk premises and activities and contribute to the local authority and HSE strategic delivery programme Fit3 - Fit for Work, Fit for Life, Fit for Tomorrow which focuses on priority health and safety targets to reduce accident rates and incidents of ill health.

In 2005 - 2006 we continued the inspection programme from a database of over 1,000 premises.

In 2005 – 2005 we achieved inspection targets of:

- 100% of "A" rated premises
- 85% of "B1" rated premises
- 85% of "B2" rated premises
- 85% of "B3" rated premises
- 90% of "B4" rated premises

In 2006- 2007 we plan to:

1. Inspect 100% of “A” and “B1” premises and 85% of “B2” “B3” and “B4” premises
2. Target Fit 3 priority areas of
 - ◆ Slips and trips
 - ◆ Falls from height
 - ◆ Workplace transport
 - ◆ Noise at Work
 - ◆ Musculoskeletal disorders
 - ◆ Asbestos – duty to manage
 - ◆ Asbestos – stripping operations.
 - ◆ Occupational asthma in craft/small scale bakeries
 - ◆ Royal Mail Letters UK
3. Contribute to the Cumbria Health & Safety Liaison Work plan, which mirrors the Fit 3 requirements
4. Promote and raise awareness of the other **Fit 3 priorities** of:
 - ◆ Stress in the Financial Services sector
 - ◆ Contact Dermatitis
 - ◆ Promote and raise awareness of Workplace Health Direct

Based on inspection figures for 2005 - 2006 it is estimated that 100 revisits will be necessary to ensure compliance with health and safety requirements.

Based on 2005- 2006 we expect to spend an average of 3 hours on each inspection including completion of letters and file records and 1.5 hours on revisits.

3.3 COMPLAINTS

The council has a written procedure for the investigation of complaints about the work practices and working conditions.

Any action taken will be in line with our health and safety enforcement policy.

HEALTH AND SAFETY COMPLAINTS INVESTIGATED BY COPELAND

COMPLAINT TYPE	2002 - 2003	2003 - 2004	2004 - 2005	2005 - 2006
Premises & working conditions	Not recorded	6	11	18
Work practices & equipment	Not recorded	8	11	3
Young Persons	Not recorded	0	1	0
TOTAL	Not recorded	14	23	21

Based on figures in 2005 - 2006 we expect to investigate 35 complaints in 2006-2007.

In 2005 - 2006 we aim to continue the targets of 2005- 2006:

1. Investigate health and safety complaints about premises in which we enforce health and safety within 5 days of notification
2. Refer other complaints to the appropriate organisation within 24 hours of receipt.

3.4 RIDDOR INVESTIGATIONS

The council has a written policy and procedure for the investigation of all incidents reportable under the Reporting of Diseases Dangerous Occurrences Regulations 1995 (RIDDOR)

RIDDOR Category	2002 - 2003	2003 - 2004	2004 - 2005	2005 - 2006
> 3 day injury	16	28	21	21
Major injury	4	3	7	5
Member of Public taken to hospital	Included in major injury	Included in major injury	9	6
Fatality	0	0	0	0
Dangerous Occurrence	0	1	0	0
Notifiable disease	0	0	0	1
Not reportable	2	5	6	2
Total Reported	22	37	44	35

Based on 2005 - 2006 we expect to spend depending on the nature and severity of the report between 2 - 18 hours per incident including site inspections, interview of employees, safety representatives, employers and others.

In 2006–2007 we expect to be notified of and investigate 40 incidents.

In 2005 – 2006 we achieved investigation targets of:

1. 100% of major injuries investigated with 48 hours of notification
2. 100% of more than 3-day injuries investigated within 5 days of notification

In 2005 - 2006 we aim to continue with these targets and investigate:

1. Fatalities within 24 hours of notification
2. Major injuries within 48 hours of notification
3. More than 3-day injuries, notifiable diseases and dangerous occurrences within 5 days of notification.

3.5 LEAD AUTHORITY PRINCIPLE

Copeland Borough Council will act as a Lead Authority Partner for a business where it would be an effective use of resources for both enforcement agencies and the business concerned. We recognise the Lead Authority Partnership Scheme and will apply the principles during relevant inspections and investigations.

Currently Copeland does not act as a Lead Authority Partner for any business in the area.

3.6 ADVICE TO BUSINESS

Copeland Borough Council provides advice to business on how to comply with Health and Safety law and on best practice recommendations.

Advice on legal requirements and best practice will be provided during inspections and during the planning or alteration stages for new and established businesses.

Links developed in 2003 - 2004 with Business Link and The Chamber of Trade and Commerce continue to ensure that information is provided in an accessible and useful format for businesses in Copeland.

In 2005– 2006 in addition to telephone and advice during inspections we provided:

1. Asbestos seminar for businesses
2. Training and information sessions to residential care homeowners
3. Joint seminars with Cumbria Fire and Rescue Service on fire safety and risk assessments
4. Smoke free seminar for businesses on providing a smoke free work environment
5. Information on the BACKS! 2005 campaign

6. Information on Slip & Trips
7. Electronic information news letter

In 2006 – 2007 we plan to continue with this level of activity and to:

1. Improve information available on the council's website
2. Participate in national and local campaigns to provide information to businesses:
 - BACKS! 2006
 - Working at Height
 - Slips & Trips
3. Raise awareness of the requirements of Noise at Work in the pubs and clubs
4. Provide training and information events
5. Continue work to establish a North Cumbria Occupational Health Group which will include existing North Cumbria Institute of Occupational Health and Safety group, the Health and Safety Executive and local businesses
6. Continue to distribute and provide during inspections and on request the free sources of information available from the HSE

3.7 LIAISON WITH OTHER ORGANISATIONS

Liaison with other organisations is essential to the delivery of an effective Health and Safety service; Copeland is represented on the following:

1. Cumbria Health and Safety Liaison Group which includes all councils in Cumbria, the HSE Enforcement Liaison Officer and Lancaster City Council
2. North West Health and Safety Regional Forum
3. South Copeland Public Health Partnership
4. North Cumbria Smoke Free Alliance
5. Commission for Social Care Inspection
6. Infection Control Committee for Cumbria and Lancashire - includes The Health Protection Agency

The liaison and information links established with Cumbria County Council Fire Service and Education Welfare Services and adopted county wide in 2003 - 2004 remain in place and are working effectively

In 2006– 2007 we plan to: -

1. Maintain this level of liaison and where relevant develop further liaisons

3.8 HEALTH AND SAFETY PROMOTION

The promotion of Health and Safety works alongside our inspections and advice to businesses.

In 2005– 2006 we targeted our resources into the following areas:

1. Providing information for school and college projects
2. Working with other agencies such as the HSE, Education Welfare, Business Link and Chamber of Commerce and Cumbria Fire and Rescue Service to provide information at seminars and other events
3. Presentations and talks on request

In 2005 - 2006 we provided:

1. Presentations on health and safety to Whitehaven Sixth Form College
2. Health and Safety Information session to Residential Care Home owners
3. Asbestos information session at Chamber of Commerce meetings
4. Asbestos awareness seminar for businesses

In 2006 – 2007 we plan to:

1. Maintain this level of promotion and to continue with health and safety training courses, open days and awareness sessions to increase knowledge of the service and of health and safety legislation.
2. Ensure that health and safety information on the council's web page is current and informative and accessible
3. Target small businesses to raise awareness of health and safety legislation and the service provided by Copeland Borough Council

3.9 SWIMMING & SPA POOL SAMPLING

In addition to inspecting premises we sample swimming pool and spa pool water from 14 premises in the area. The management systems to chemically control the quality of water and other management systems are assessed when samples are taken.

Samples are taken twice a year in April/May and September/October and involve poolside chemical analysis and microbiological analysis at an accredited laboratory. Repeat sampling is undertaken if samples do not meet microbiological guidelines. If there are further failures further sampling is undertaken at a cost to the owner of the pool.

This sampling supplements the poolside sampling that owners of the pool undertake.

3.10 LICENSING

The Licensing Act 2003, which transfers the granting of all licences including those, previously dealt with by the Magistrates Courts to local authorities. Applications are considered under the “licensing objectives” of:

- Protection of children from harm
- Prevention of public nuisance
- Public Safety
- Prevention of crime and disorder

The Act designates Environmental Health and Health and Safety as “statutory consultees”.

The Health and Safety Team are the statutory consultees for Public Safety issues, which covers areas such as electrical safety, condition of premises including walkway areas and compliance with the Health and Safety at Work etc Act 1974 and associated regulations. In this role each application must be assessed for compliance with Public Safety conditions of Copeland Borough Council Licensing Policy.

Applicants are required to send a copy of their application to Environmental Health and that application must include details of the activities that will take place at the premises.

This was a new area of work for the service in 2005 - 2006.

In 2005 – 2006 we acted as statutory consultee for 209 applications - all requests were responded to within the 28 day deadline

Based on records for 2005 - 2006 we expect to spend 30 minutes to assess and reply to standard applications and 1 – 3 hours to inspect and assess new applications – inspections will be based on risk and will also be rated as a health and safety inspection. In addition we expect to spend an extra 45 minutes for report writing where objections are raised and 45 minutes to prepare information for and attend a hearing.

In 2006– 2007 we aim to:

1. Respond as a “statutory consultees” within the required 28 day consultation period

SECTION 4 – RESOURCES

4.1 FINANCIAL ALLOCATION

The Health and Safety Team will implement all areas of the service plan, with the possible and occasional use of health and safety contractors to cover any vacant posts that may arise or for prolonged staff absence.

The net cost of the service has been:

2002 - 2003 - £80,692	2003 - 2004 - £106,144
2004 - 2005 - £150,400	2005 – 2006 – 188,107

From 2002 - 2005 expenditure increased due to a reorganisation of the Commercial Team to create distinct and separate food safety and health and safety teams and allow the allocation of officer time to health and safety work only.

The budget estimates for health and safety in 2006- 2007 is set at 2005 - 2006 levels and includes the additional staff costs approved in 2002 - 2003. The costs in 2002 - 2003 were approved in recognition of need to strengthen service will be maintained to continue the improvements made and recognised by the Health and Safety Commission and maintain compliance with mandatory section 18 requirements.

EXPENDITURE

Staffing	£160,224
Equipment	£3,987
Legal and Professional	£1,533
Support Costs	£23,260
TOTAL EXPENDITURE	£189,004

INCOME

Fees & charges	£897
TOTAL INCOME	£897
NET EXPENDITURE	£188,107

4.2 STAFFING ALLOCATION

The Health and Safety Team consists of three Environmental Health Officers/Health and Safety Inspectors, including the Team Leader who manages the team, a technical officer and administrative support.

The full time equivalents (FTE) involved in Health and Safety for 2005 - 2006 are:

Environmental Health Manager	0.2 (FTE)
Team Leader (Food and Health and Safety)	0.5 (FTE)
EHO/Health & Safety Inspector	2.0 (FTE)
Technical Officer	1.0 (FTE)
Administration/technical support	0.6 (FTE)

	4.3 (FTE)

The Team Leader (Food and Health and Safety) and Health and Safety Inspectors have full competency with reference to section 18 requirements of the Health and Safety Commission.

4.3 STAFF DEVELOPMENT PLAN

The council has a written policy on the authorisation and training of health and safety officers that complies with the requirements of section 18 of the Health and Safety at Work etc Act 1974.

Officers involved in health and safety work must be either qualified Environmental Health Officers or qualified health and safety practitioners with a qualification accepted for membership of The Institute of Occupational Health and Safety (IOSH) or technical assistants with a qualification accepted for associate membership with IOSH.

To maintain competency and knowledge officers must complete a minimum of 10 hours health and safety specific training.

Additionally all health and safety staff are included in the corporate Employee Development scheme which involves an annual personal interview to assess and report training needs

We offer opportunities for work placements to provide training to those considering a career in Health and Safety

SECTION 5 – QUALITY ASSESMENT

5.1 INTERNAL QUALITY ASSESEMENT

The content and quality of inspections, investigations and enforcement actions is monitored routinely by the Team Leader (Food and Health and Safety) to ensure compliance with written procedures. Action will be taken to prevent the reoccurrence of any non-conformity identified.

5.2 EXTERNAL QUALITY ASSESMENT

The Health and Safety service was audited by the Health and Safety Commission in November 2000 and May 2003. The audit of the health and safety enforcement function in May 2003 reported that the service "fully complied" with all requirements and was demonstrating best practice in a number of areas. The report is available on www.hse.gov.uk/lau/hela.htm or by contacting Jackie O'Reilly the Team Leader (Food and Health and Safety) on 01946 598346.

Copeland is organising and participating in a robust and consistent programme of inter-authority audits of the health and safety service of councils in Cumbria. An inter authority audit of Copeland was undertaken in February 2005 and assessed the service provided as fully complying with s.18 requirements with areas of best practice identified. No areas of concern were identified for action.

5.3 PERFORMANCE MONITORING

The performance of the health and safety team is reported. The performance report concentrates on the following local performance indicators set for the service:

1. Number of inspections of workplaces completed in each category
2. Accident and other notifications investigated
3. Investigation of complaints and requests for service

Details are also available for

- Improvement notices and prohibition notices served
- Prosecutions
- Swimming pool and spa pool sampling
- Statutory consultee inspections and reports for premises covered by the Licensing Act 2003.

SECTION 6 - REVIEW

6.1 REVIEW AGAINST SERVICE PLAN

The Team Leader (Food and Health and Safety) reviews achievement of targets and the health and safety service plan throughout the year. Local performance indicators are reported to the Council's Strategic Management Team and to the Executive. The Social Well Being Overview and Scrutiny Committee also review achievement of targets throughout the year

Targets not met are identified and planned improvements will be included in the Health and Safety Service Plan 2006 - 2007.

The end of year review of 2005 -2006 Health and Safety Service Plan is summarised as:

REVIEW OF THE TARGETS SET IN 2005- 2006

TARGET FOR 2005 -2006	TARGET DATE	ACHIEVEMENT
Inspections - complete the planned inspection programme with targets of: <ul style="list-style-type: none"> ▪ 100% of "A" & "B1" premises ▪ 80% of other premises ▪ Participate in HELA priority programme 	Continual	Partly: <ul style="list-style-type: none"> ▪ 100% of "A" & 85.4% of "B1" premises Achieved Achieved
Investigations: <ul style="list-style-type: none"> ▪ Investigate RIDDOR notifications with targets of: ▪ Fatalities within 24 hours of receipt ▪ Major injuries within 48hrs of receipt ▪ Others within 5 days of receipt ▪ Investigate Health & Safety related complaints within 5 days of receipt 	Continual	All targets achieved
Promotion of Health and Safety & Advice to Businesses <ul style="list-style-type: none"> ▪ Contribute to national campaigns - BACKS! 2005 and Slips & Trips ▪ Improve information on website ▪ Electronic newsletter ▪ Training & Information events 	March 2006	All targets achieved <i>The council website is currently undergoing further improvement</i>
Inter Authority Auditing <ul style="list-style-type: none"> ▪ Complete & participate in the inter authority audit programme for Cumbria 	March 2006	Achieved

6.2 IDENTIFICATION OF ANY VARIATION FROM SERVICE PLAN

Inspection Programme:

The targets set for the inspection programme were only partially met although the target set for the high-risk premises ("A" rated) was achieved.

The reason identified for this were:

- Significant time devoted to a legal investigation
- Participation in national campaigns – Slips & Trips, BACKS! 2005

6.3 AREAS OF IMPROVEMENT

The review of the 2005 - 2006 service plan and development of the 2006- 2007 Health and Safety service plan identified the following as areas of improvement and development:

1. Implement an effective system to record enquiries and requests for information
2. Improve consultation with local businesses and users of the service about health and safety issues
3. Increase circulation and awareness of the electronic health and safety newsletter
4. Continue to improve the content and quality of health and safety information on the council's web page
5. Improve access and circulation of service plan

These areas have been included as targets in section 3 - Service Delivery.

Performance against these targets will be reviewed throughout the year and in the review of 2006 - 2007 Health and Safety Service plan.

APPENDIX A

HEALTH AND SAFETY ORGANISATIONAL STRUCTURE

