



COPELAND BOROUGH COUNCIL

HEALTH AND SAFETY SERVICE PLAN

2005 - 2006

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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, taking appropriate enforcement action, raising awareness of health and safety issues and promoting health and safety.

The Health and Safety Service Plan details our priorities, targets, resources, quality assessment and review of performance for 2005 - 2006. 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.
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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

The Council's Corporate Plan (which includes the Best Value Performance Plan and is linked to the Community Strategy) comprises 4 corporate themes of:

1. Creating and sustaining a Healthy Local Economy
2. Quality of Life and Social Inclusion
3. A quality council delivering Quality Services
4. Managing the impact of the Nuclear Industry

The Health and Safety Service contributes to the first 3 of these themes

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
5. Statutory consultee for Licence applications - includes cinemas and theatres as regulated entertainment
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, Cleator Moor and Egremont.

The Council office hours are Monday. – Thursday – 08.45hrs – 17.15 hrs and Friday 08.45hrs – 16.25hrs.

Emails can be received on health@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 2005 - 2006 the premises in Copeland are in the following categories:

CATERGORY OF PREMISES	NO: OF PREMISES
"A" – minimum inspection frequency every year	44
"B1" – minimum inspection frequency every 18 months	67
"B2" – minimum inspection frequency every 2 years	298
"B3" – minimum inspection frequency every 3 years	306
"B4" – minimum inspection frequency every 4 years	167
"C" – maintain contact at least every 5 years	151
New premises to be inspected & rated	86
	TOTAL – 1,119

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 health@copelandbc.gov.uk or contacting Jackie O'Reilly Team Leader (Food and Health and Safety) on 01946 598346.

In 2004 - 2005 a summary version was 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 2004 - 2005 the following enforcement action was taken:

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

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. All inspections targeted the HELA Strategic priorities relevant to the premises and included a comprehensive report of the inspection.

In 2004 - 2005 we continued the inspection programme from a database of over 1,000 premises.

In 2004 – 2005 we achieved inspection targets of:

- 100% of "A" rated premises
- 90% of "B1" premises
- 69% of "B2" premises
- 69% of "B3" premises
- 65% of "B4" premises
- 10% of "C" premises – (*C premises require contact to be maintained ever 5 years*)

Based on inspection figures for 2004 - 2005 it is estimated that 120 revisits will be necessary to ensure compliance with health and safety requirements.

Based on 2004- 2005 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.

In 2005 - 2006 we plan to:

1. Continue to target during inspections the **HELA Strategic Plan 2001 – 2004** priorities (HELA - The Health and Safety Executive / Local Authorities Enforcement Liaison Committee) of:
 - ◆ Slips and trips
 - ◆ Workplace transport.
 - ◆ Musculoskeletal disorders focusing on manual handling in food/drinks businesses and patient handling in residential care homes
 - ◆ Stress.
 - ◆ Falls from height
2. Contribute to the Local Authority and HSE national BACKS! 2005 campaign to target manual handling during June and July 2005 by dedicating 2 inspectors each to spend 20 hours contact time at small and medium sized businesses where manual handling tasks take place
3. Promote and raise awareness of the other **HELA Priorities** of:
 - ◆ Asbestos – management in buildings.
 - ◆ Asbestos – stripping operations.
 - ◆ Health and Safety in Catering
 - ◆ Inspecting Steel Stockholders.
4. Complete a planned inspection programme to achieve 100% of “A” and “B1” premises and 80% of “B2” “B3” and “B4” premises.

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.

The Health and Safety Team also deal with many enquires by telephone and during inspections and other visits about working conditions and practices – details of these have not been accurately recorded and are not included in the summary.

Health and Safety complaints investigated by Copeland

COMPLAINT TYPE	2001 - 2002	2002 - 2003	2003 - 2004	2004 - 2005
Premises & working conditions	Not recorded	Not recorded	6	11
Work practices & equipment	Not recorded	Not recorded	8	11
Young Persons	Not recorded	Not recorded	0	1
TOTAL	Not recorded	Not recorded	14	23

Based on figures in 2004 - 2005 we expect to investigate 40 complaints in 2005 -2006.

In 2005 - 2006 we aim to:

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	2001 - 2002	2002 - 2003	2003 - 2004	2004 - 2005
> 3 day injury	13	16	28	21
Major injury	2	4	3	7
Member of Public taken to hospital	Included in major injury	Included in major injury	Included in major injury	9
Fatality	0	0	0	0
Dangerous Occurrence	0	0	1	0
Notifiable disease	0	0	0	0
Not reportable	2	2	5	6
Total Reported	17	22	37	44

Based on 2004 - 2005 we expect to spend an average of 21 hours per incident including site inspections, interview of employees, safety representatives, employers and others.

In 2005 –2006 we expect to be notified of and investigate 50 incidents.

In 2004 – 2005 we achieved investigation targets of:

100% of major injuries investigated with 48 hours of notification

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 with 24hours of notification
2. Major injuries within 48hours 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.

In 2003 - 2004 the Health and Safety team developed links with The Chamber of Trade and Commerce and continues to work with them to ensure that information is provided in the most accessible and useful format for businesses in Copeland.

In 2004 – 2005 in addition to telephone and advice during inspections we provided:

1. Advice to businesses on grounds maintenance
2. Training and Information session to residential care homeowners
3. Asbestos advice session

In 2005 – 2006 we plan to:

1. Improve information available on the councils website
2. Provide an electronic information newsletter – 1st issue available from May 05
3. Establish a North Cumbria Occupational Health Group (extends existing North Cumbria Institute of Occupational Health and Safety group to include formal links with the Health and Safety Executive
4. Continue to distribute and provide during inspections and on request the free sources of information available from the HSE
5. Provide training and information events
6. Participate in national and local campaigns such as the BACKS! 2005 initiative to provide information to businesses

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. Commission for Social Care Inspection
3. Infection Control Committee for Cumbria and Lancashire which 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 2005– 2006 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 2004– 2005 we targeted our resources into the following areas:

1. Presentations at Youth Council Meetings
2. Providing information for school and college projects
3. Working with other agencies such as the HSE, Business Link and Chamber of Commerce to provide information at seminars and other events
4. Presentations and talks on request

In 2004 - 2005 we were provided:

1. Presentations on health and safety to the Whitehaven Sixth Form College
2. Presentation at Youth Council AGM (2004)
3. Health and Safety Information session to Residential care home owners
4. Asbestos information session at Chamber of Commerce meetings

In 2005 – 2006 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 12 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 is a new area of work and estimates are only available of the time expected to be spent on delivering this area.

In 2005 – 2006 we estimate that the following time will be spent:

1. 30 minutes to assess and reply to standard applications where there is no objection in principle
2. 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
3. 45 minutes for report writing in addition to the above for applications where objections are raised
4. 45 minutes to prepare information for and attend a hearing if an application is refused.

In 2005 – 2006 we aim to:

1. Respond as a “statutory consultees” within the required 28 day consultation period
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SECTION 4 – RESOURCES

4.1 FINANCIAL ALLOCATION

The health and safety team will implement all areas of the service plan, with the 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:

2001 - 2002 - £51,119

2002 - 2003 - £80,692

2003 - 2004 - £106,144

2004 - 2005 - £150,400

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 2005 - 2006 is set at 2004 - 2005 levels and includes the additional staff costs approved in 2002 - 2003. The costs 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	£121,358
Equipment	£3,987
Legal and Professional	£1,533
Support Costs	£24,398

TOTAL EXPENDITURE	£151,276
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INCOME

Fees & charges	£875
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TOTAL INCOME	£875
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NET EXPENDITURE	£150,400
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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	0.75 (FTE)

	4.45 (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 resulting action plan has been completed. 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 2005 - 2006.

The end of year review of 2004 -2005 Health and Safety Service Plan is summarised as:

REVIEW OF THE TARGETS SET IN 2004 - 2005

TARGET FOR 2004 -2005	TARGET DATE	ACHIEVEMENT
Inspections - complete the planned inspection programme with targets of: <ul style="list-style-type: none">100% of "A" & "B1" premises80% of other premisesParticipate in HELA priority programme	Continual	Partly: <ul style="list-style-type: none">100% of "A" & 90% of "B1" premises69% of other premises Achieved
Investigations: <ul style="list-style-type: none">Investigate RIDDOR notifications with targets of:Fatalities within 24 hours of receiptMajor injuries within 48hrs of receiptOthers within 5 days of receiptInvestigate Health & Safety related complaints within 5 days of receipt	Continual	Achieved
Promotion of Health and Safety & Advice to Businesses <ul style="list-style-type: none">Improve information on websiteElectronic newsletterTraining & Information events	March 2005	<ul style="list-style-type: none">NoAchieved – information and training sessions provided
Inter Authority Auditing <ul style="list-style-type: none">Complete and participate in the inter authority audit programme for Cumbria	March 2005	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
- Asbestos removal monitoring works

Promotion of Health and Safety and Information to Businesses

Targets to improve information on the council's website have been delayed due to council wide problems with loading new information. Work is currently under way by the Council's Information Technology Section to improve the system and when completed new and additional information will be available from the site.

6.3 AREAS OF IMPROVEMENT

The review of the 2004 - 2005 service plan and development of the 2005- 2006 Health and Safety service plan identified the following as areas of improvement and development:

1. Establish an effective system to record enquires and requests for information
2. Improve consultation with local businesses and users of the service
3. Develop the health and safety newsletter or equivalent method of informing businesses and users of the service about health and safety issues
4. Improve the content and quality of health and safety information on the council's web page
5. Improve access and circulation of our health and safety enforcement policy and 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 2005 - 2006 Health and Safety Service plan.

APPENDIX A

HEALTH AND SAFETY ORGANISATIONAL STRUCTURE

