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**Meeting:** Licensing Committee  
**Date:** 28 September 2011  
**Subject:** Health and Safety (as a Regulator) Service Plan 2011-2012  
**Report of:** Gary Alderson – Director of Sustainable Communities  
**Summary:** This report provides and update on the work carried by the Health and Safety Team for June to September 2011.

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Contact Officer: Jo Borthwick, Service Manager Public Protection  
Public/Exempt: Public  
Wards Affected: All  
Function of: Executive

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Supporting and caring for an ageing population - The Council is the enforcing body for health and safety in care homes where Council interventions improves the health and safety of both staff and elderly residents

Educating, protecting and providing opportunities for children and young people - The Council, as part of its inspection and intervention programme, educates and where necessary, takes enforcement action, to secure the health and safety and welfare of children at work, children attending nurseries, and children visiting businesses with parents (Garden Centres, Supermarkets etc)

Managing growth effectively - Implementing the Better Regulation Agenda will reduce administrative and regulatory burdens on local business thereby helping economic growth.

Promoting healthier lifestyles and creating safer communities - The Councils health and safety programme which includes intelligence led interventions, accident investigations, topic-based promotional work and providing advice and education to businesses helps create safer communities

The health and safety programme also contributes to developing healthier lifestyles for those working in Central Bedfordshire by seeking to reduce the instances and root causes physical and mental ill health arising in the work place.

### **Financial:**

All expenditure will be met within existing budgets. Budget allocation figures as detailed in the service plan.

**Legal:**

There is a mandatory requirement placed on the Council by the Health and Safety Executive to produce Enforcement Service Plans which are approved by members. The service plan details health and safety enforcement functions carried out by the council under the Health and Safety at Work etc. Act 1974 and associated regulations.

**Risk Management:**

Failure to properly manage and operate the enforcement services could result in central government agencies intervening to assume responsibility for the function.

**Staffing (including Trades Unions):**

None

**Equalities/Human Rights:**

The Service undertakes regular equality monitoring to check that local businesses are aware of the service and able to access information and guidance. Information is translated where necessary and training is delivered in other languages when appropriate. It also works with schools, child care settings, care homes and luncheon clubs to promote the well-being of vulnerable groups. The Service has an important role to play in helping to prevent disability and tackling health inequality caused by unsafe working practices.

There are no direct implications for human rights. The application of legislation may have human rights implications in instances where premises are closed down or prosecutions are brought.

**Community Safety:**

The Service Plan details how the Council will discharge its responsibility to enforce health and safety law within Central Bedfordshire. The implementation of the service plan will work to minimise criminal contraventions of the legislation which is intended to ensure workers and public safety.

**Sustainability:**

Regulation of Health and Safety at businesses in Central Bedfordshire is focused where the greatest risks are found and the service looks to support compliance to ensure best use of resources and the best outcomes for the whole community.

**RECOMMENDATION(S):**

**that the Regulation committee endorses the Health and Safety Quarterly Report for June to September 2011.**

## **Background**

1. The Health and Safety Executive (HSE) is a body, appointed by the Secretary of State, whose primary function is to make arrangements to secure the health, safety and welfare of people at work, and of the public in their dealings with commercial undertakings. The HSE are also responsible for proposing new laws and standards; conducting research and providing information and advice; and developing policy on fundamental and strategic health and safety issues. The HSE has specific powers to monitor and audit the activity of Local Authorities enforcing health and safety legislation to ensure relevant guidance is being followed.
2. Section 18 of the Health and Safety at Work etc. Act 1974 requires Local Authorities to make adequate arrangements:
  - for the enforcement of health and safety in premises under the Authorities enforcement remit;
  - to perform the legal duties imposed on them;
  - to undertake any other function conferred on them by relevant statutory provisions; and
  - to set out its commitment, priorities and planned interventions.The arrangements for carrying out these tasks in Central Bedfordshire are detailed in the Health and Safety (as a Regulator) Service Plan 2011 -2012 as set out in Appendix A.
3. Specifically Public Protection seeks to meet Section 18 requirements for member engagement by ensuring the committee are kept informed of progress against the annual plan and the work of the team.

**Appendices:** Appendix A – Health and Safety Quarterly report September 2011

**Background Papers:** Health and Safety (as a regulator) Plan 2011-12

**Location of papers:** Priory House, Chicksands