
Meeting: Licensing Committee
Date: 7 November 2012
Subject: Health and Safety (as a Regulator) Service Plan 2012-2014
Report of: Gary Alderson – Director of Sustainable Communities
Summary: This report provides an update on the work undertaken by Public Protection against the above plan in relation to the regulation of Health and Safety at work in the Central Bedfordshire area.

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

CORPORATE IMPLICATIONS

Council Priorities:

Enhancing Central Bedfordshire – including creating jobs and enabling businesses to grow by supporting businesses to comply with their legal obligations through a targeted and intelligence led approach. Businesses are given advice and helped with enforcement actions only employed when businesses refuse to work with us or recklessly or deliberately put the health and safety of their employees and/or the public at risk. The service recognises that by working with businesses to help them to do things right we can make the business more efficient and reduce their costs which in turn helps businesses expand and develop.

Promote health and wellbeing and protecting the vulnerable by ensuring high health and safety standards at businesses across Central Bedfordshire we can protect employees and members of the public who visit business premises from injury or ill health. This includes care homes where our work can help improve the health and well being of elderly residents as well as the staff working there. The work of the team 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.

Value for money by targeting our interventions and providing training and advice to businesses we provide value for money. This means we only visit businesses when we need to and by supporting them to get things right we reduce the costs to the Council of needing to take potentially expensive enforcement or court action.

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

- 1. Notes the work undertaken in support of the plan and approves any necessary changes made to it**

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 2012 -2014

3. Specifically Public Protection seeks to meet Section 18 requirements for member engagement by ensuring the committee are kept informed of progress against the H&S plan and the work of the team.

Appendices: none

Background Papers:

Location of papers: