

Council

24 March 2011

Agenda Item 92

Brighton & Hove City Council

Subject: Health & Safety Annual Service Plan 2011/12

Date of Meeting: 10 March 2011 Environment Cabinet Member Meeting
24 March 2011 Council

Report of: Strategic Director, Place

Contact Officer: Name: Roy Pickard Tel: 29-2145
E-mail: roy.pickard@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Health & Safety Annual Service Plan required under the Health & Safety at Work Act etc 1974 Section 18 standard is part of the Council's Policy Framework on which the Environment Cabinet Member and stakeholders are normally consulted before final proposals are formulated.
- 1.2 This work is very important to a city like Brighton & Hove with its leisure and tourist industry, its night time economy and its retail businesses. It keeps the city's workers, residents and visitors safe and healthy and enhances the city's reputation as an attractive place to work, live and visit.
- 1.3 Businesses' satisfaction rates for the Health and Safety service remain high with 98.3% of business feeling that they had been treated fairly and 98.7% of businesses felt the contact was helpful.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member endorses the Health & Safety Annual Service Plan 2011/2012 and recommends Council to approve it.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Health & Safety Annual Service Plan is a statutory document required under guidance issued by the Health and Safety Executive (HSE), Section 18 Standard. The Annual Service Plan for this year reviews 2010-11 and details the aims and objectives for the enforcement of health & safety as a function of the Health & Safety Team.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Health & Safety Service Plan is submitted to the relevant member forum for

approval. It also requires members to make a commitment to the Health & Safety Executive strategy 'be part of the solution'

- 3.3 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement.
- 3.4 The primary purpose of the HSWA is to control risks from work activities. The role of the Local Authority is to ensure that duty holders manage and control these risks and thus prevent harm to employees and to the public. Part of this role involves providing support and advice. The attached plan (Appendix 1) sets out the adequate arrangements for enforcement.
- 3.5 In accordance with the Standard and guidance contained in HELA Local Authority Circular 67(2) the Health & Safety Service should provide a range of risk-based interventions. This would include routine inspection of high risk businesses, planned enforcement initiatives, investigation of accidents, investigation of complaints, advice, training and advisory activity, visits to new premises, revisits to check compliance, enforcement, Safety and Health Awareness Days etc;
- 3.6 In addition, local priorities have been identified and these include working with BME takeaways on workplace violence, helping hotels to improve safety, reducing night club workers exposure to harmful levels of noise and events are run safely.

4. CONSULTATION

- 4.1 A Senior Lawyer and Accountant have been consulted regarding the legal and financial implications. The service plan will be part of a rigorous consultation process in March 2011 involving members of the public, employers, employees, internal and external stakeholders such as Trade Unions, Corporate Health & Safety and local business forum. It must be a published document and is also available on the Council's website.
- 4.2 This report has already been through the city Councils scrutiny process and the health and safety service plan has been welcomed

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 The annual Health and Safety Service Plan sets out the approach that the Council will use to fulfil its statutory duties. The 2011/12 net budget for the Health and Safety Service within Environmental Health will be determined by Cabinet on 17th February 2011. The net budget for the current year is £165,360.

Finance Officer consulted: Karen Brookshaw

Date: 23/12/10

Legal Implications

- 5.2 Local Authorities have a statutory duty under Section 18 of the Health and Safety at Work Act 1974 to ensure adequate provision for health and safety regulation in their area. The S18 Standard and Statutory Guidance set out the requirements the Local Authority is obliged to comply with in making 'adequate arrangements for enforcement'- full compliance is required by 31st March 2011. The attached plan complies with the Council's obligations under the Standard and relevant Guidance.
- 5.3 The Council's Constitution requires the adoption of the Health & Safety Annual Service Plan to be reserved to full Council.

Lawyer consulted:

Elizabeth Culbert

Date: 11/01/11

Equalities Implications:

- 5.5 An Equalities Impact Assessment has been completed as part of our contact with groups during discussions in 2010. It has identified that additional work with BME takeaways is required.

Sustainability Implications:

- 5.6 Unacceptable risk, fatalities and major injuries would reduce development of the city, tourism and benefits to local people, in addition to private and family lives.

Crime & Disorder Implications:

- 5.7 Reduction in crime and disorder as part of the work place violence projects and retail robbery work.

Risk and Opportunity Management Implications:

- 5.8 A sensible approach to health & safety protects the Councils reputation as a responsible authority. Leading and promoting health & safety avoids tragedy and consequent adverse impacts.

Corporate / Citywide Implications:

- 5.9 A safe and healthy workforce benefits the local economy and develops the city's tourism

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None. The Service Plan is a statutory requirement.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Compliance with statutory duties.

SUPPORTING DOCUMENTATION

Appendices:

1. Health & Safety Annual Service Plan 2011/2012

Documents In Members' Rooms

None

Background Documents

None